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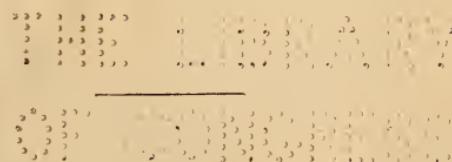
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Information Concerning The Indian Territory.

Answering such inquiries as would be made by
people who contemplate seeking homes
or making investments.

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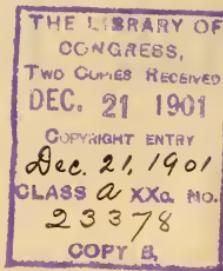
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PREFATORY.

The information given in this publication is intended to answer such inquiries as would be made by the homeseeker, the capitalist for investment, the business man, who is looking for a new location in a growing country, and the farmer who cannot pay fancy prices for agricultural land, but who can rent for a few years, until he has accumulated enough to buy a farm and own his own home. It is compiled by men who have been in the field appraising the land in forty-acre tracts under the Commission to the Five Civilized Tribes, and who, from the knowledge gained in their work, are competent to judge and know whereof they speak. We have tried to give facts and figures in plain language, without making any attempt at a literary effort. We are not in any way interested in the sale of a single piece of property in the Indian Territory, and while we would refer all further inquiries to the advertisers in this publication, each one of whom is perfectly reliable, yet to such as want any information we can give we will gladly answer inquiries that may not be covered herein,

IND. TER. PUB. CO.,

Muskogee, Ind. Ter.

The Indian Territory.

HISTORICAL.

The Indian Territory is virtually the last remaining vestige of the vast expanse of territory set apart for occupation by the Indians in the act signed by Jackson in 1834. Jefferson proposed just after the Province of Louisiana was bought that the greater portion of it should be allotted to the Indians. He doubted the authority of the President and Congress to buy territory, and he proposed an amendment to the Constitution to legalize the acquisition of Louisiana. This, which would have been the thirteenth amendment to the Constitution if it had been adopted, set forth that "Louisiana, as ceded by France to the United States, is made a part of the United States; its white inhabitants shall be citizens, and shall stand as to their rights and obligations on the same footing with other citizens of the United States in analogous situations; save only that, as to the portion lying north of an east and west line drawn through the mouth of the Arkansas River, no new State shall be established, nor any grants of land made other than to Indians in exchange for equivalent portions of land occupied by them, until an amendment to the Constitution shall be made for these purposes."

Jefferson had a more active imagination than was possessed by almost any other of the great American statesmen of his time. He could see farther into the future than any of his conspicuous contemporaries. The greater portion of the new region which he bought in 1803 he evidently supposed would be in a state of savagery for centuries to come, as is shown by this

stipulation in his proposed thirteenth amendment to the Constitution to legalize his purchase of Louisiana. In his first inaugural address he congratulated the American people on "possessing a chosen country with room enough for our descendants to the thousandth and thousandth generation." The country at that particular time consisted of the region east of the Mississippi and north of the present State of Florida, and of a strip extending from Florida along the southerly ends of Alabama and Mississippi, together with part of the easterly projection of the present State of Louisiana, onward to the Mississippi River. Neither Jefferson nor anybody else in his day foresaw the steamboat, the railroad or the telegraph, except in the vaguest sort of a way, as respects the steamboat.

The rush in 1889 which sent tens of thousands of people into Oklahoma in the course of an hour or two of one April afternoon, could not have been conceived in 1801 or 1803 by anybody. Oklahoma did not even become a name until more than two generations afterward. The expectation that most of the territory west of the Mississippi would continue in a savage state for ages, and be the home of wild animals and wilder men was embodied in the statutes the year after that region was acquired. The fifteenth section of the act dividing up the Louisiana Province into the Territory of Orleans and the District of Louisiana passed by Congress in 1804, and signed by Jefferson on March 26 of that year, provided that "the President of the United States is hereby authorized to stipulate with any Indian tribes owning lands on the east side of the Mississippi and residing thereon, for an exchange of lands, the property of the United States, on the west side of the Mississippi, in case the said tribes shall remove and settle thereon"; and the same section provided that such Indians as would occupy those lands on the west side of the Mississippi should not sell any of them "to the subjects or citizens of any sovereign power, nor to the citizens of the United States." The population of the whole of the Louisiana region, exclusive of the Indians, at the time of the annexation in 1803, was estimated at about fifty thousand, three-fourths of these being whites and the rest negro slaves. To the north of the mouth of the Arkansas not more than seven thousand or eight thousand whites and negroes resided, these being scattered along the banks of the Mississippi

and the Missouri Rivers. The population of St. Louis, whites and blacks, was about one thousand.

But the whites, few though they were, attacked this provision in regard to the Indians resolutely. In a remonstrance, signed by the Deputies of St. Louis and "its dependencies" (Charles Gratiot, P. Provenchere, Augustus Chouteau, Richard Caulk, David Musick and Francis Cottard), of New Madrid, Cape Girardeau, Ste. Genevieve and of St. Charles and "its dependencies," and presented to Congress on January 4, 1805, these representatives of the people of Upper Louisiana said: "Had the United States bound themselves to exterminate from the face of the earth every inhabitant of Louisiana, your petitioners do not conceive that they could have taken a more effectual step toward the fulfillment of the engagement than the measures contemplated by the fifteenth section of the law respecting the District of Louisiana. But by the treaty with the French Republic the United States have engaged to maintain and protect us in the free enjoyment of our liberty and property. Great God! a colony of Indians to maintain and protect us in our liberties and properties!" Then they told that they heard the garrison at New Madrid had, by orders of the commander in the West, been reduced to fifteen men, while assassinations of whites by the Indians—the Indians which the law proposed to increase by the removal of tribes from the east to the west side of the river—had taken place recently, and exclaimed: "What a time have your honorable houses chosen for the exchange in contemplation! A plan wearing the most threatening aspect to our lives and properties—a plan, not only alarming in its immediate effects, but pregnant with evils of a most dangerous nature in its remote consequences."

The transfer of the Indians to the west side of the Mississippi, which the handful of whites in St. Louis, New Madrid, St. Charles and the other little settlements of Upper Louisiana feared, took place, but the growth in the whites of the locality far exceeded the increase in the red men. The whites increased so rapidly that the seven thousand or eight thousand of 1803 became one hundred and forty thousand in Missouri in 1830, and thirty thousand in Arkansas. Missouri became a State in 1821, and Arkansas was made a Territory in 1819. But even when the census of 1830 showed such a big increase

in the population of what had been Upper Louisiana, nobody yet imagined that there would be a much further expansion of white settlement west of the Mississippi for generations to come. Accordingly, Congress passed an act which President Jackson signed on June 30, 1834, which recited that "all that part of the United States west of the Mississippi River and not within the States of Missouri and Louisiana or the Territory of Arkansas, shall be considered the Indian country." On the same day another act was signed which provided that a superintendent of Indian affairs was to be appointed, and no one was to be permitted to trade or settle in the Indian country without his permission. Arkansas became a State in 1836, two years after the enactment of the law which gave up most of the country west of the Mississippi to the red men. At that time the western boundary of the United States was the Rocky Mountains, and the Arkansas, the Red and the Sabine Rivers. Texas was annexed in 1845; the United States' title to the "Oregon country," comprising the present States of Oregon, Washington and Idaho, and parts of Wyoming and Montana, was acknowledged by England in 1846; and in 1846-48 we gained New Mexico and California from Mexico, through conquest and purchase. All of the territory which the United States owned west of the Mississippi in 1834, except that comprised in the States of Louisiana and Missouri and the Territory of Arkansas, was set apart for the Indians. White men were shut out of more than three-fourths of the region west of the river, and were not allowed, except by permission of the Superintendent of Indian Affairs, or of one of his deputies, to settle or even trade in that vast domain.

What has become of that great Indian empire? By the organization, first as Territories and then as States, of Iowa, Minnesota, Kansas, Nebraska, Colorado, South Dakota, North Dakota, Montana and Wyoming, the Indian country has shrunk until all of it that is left out are Oklahoma and the Indian Territory. The rest of it has been cut up into States in the lapse of time, and the days of these two fragments, as Territories are numbered. Either as one or as two States, probably as one, they are reasonably certain to enter the list of commonwealths before many more years pass. These two, with New Mexico and Arizona, which form part of the Mexican cession of 1848, are all that remain of the contigu-

ous portion of the United States outside of the roll of States.

The Indian Territory, which has a chance to be joined to Oklahoma in admission as a State, or be admitted as an individual State, has almost as many inhabitants, and, likewise, has made a big increase in population in the ten years. The population of the Indian Territory in 1900 was three hundred and ninety-one thousand nine hundred and sixty, and the increase in the decade was one hundred and seventeen per cent. Combined, these two Territories had about seven hundred and ninety thousand inhabitants in 1900. No State of all the thirty-two admitted by act of Congress had at the date of its admission anything like the number of inhabitants who were found in each of these two Territories last June. None of the original thirteen States except Virginia and Pennsylvania had, at the time the Government under the Constitution went into operation in 1789, as many inhabitants as were in the Indian Territory last year. These two Territories in combination had more inhabitants a year ago than Virginia, the largest of the thirteen original States, had at the time the first national census was taken, in 1790. The republic of Texas, almost ten years old at the time, had, when it was annexed to the United States, only about half as many inhabitants as were in the Indian Territory last year.

CLIMATE.

The Territory, lying as it does, midway between the extremes of the Atlantic and Pacific, and the Gulf of Mexico and the British Possessions, has a temperate climate that has neither the extreme cold of the North or the extreme heat of the South. While it is true that the sun shines warm during the day in the summer time, yet the heat is tempered by the Gulf breeze, which begins to be felt during the afternoon, and tempers the atmosphere till the nights are always cool and pleasant, and the "hot nights" of other localities are entirely unknown here. The winters are delightful, being free from severe cold, the thermometer rarely reaching zero. The prevailing winds are from the south in the summer, and the "hot winds" of the country further north that blast all vegetation are not known here. The rainfall is abundant and drouth is conspicuous by its absence. Even during the past summer, that of 1901, while the unusual and severe drouth was prevailing in the States North, East and West, the Territory was comparatively free from the dry condition existing in other States. It is true that we were affected by the unusual condition in some degree, but not to any such extent as was suffered by our neighbors.

ELEVATION.

The elevation of the country averages about six hundred and fifty feet above sea level, with altitudes running as high as one thousand five hundred feet in the mountainous districts. While these districts are called mountainous they are only hilly when comparison is made with the Rocky Mountains. It is high enough to produce a dry, pleasant atmosphere comparatively free from extreme humidity, and at the same time free from the conditions that produce nervous diseases in the high altitudes.

PHYSICAL CONDITIONS.

The Indian Territory, while once embracing great tracts of land west of the Mississippi River has been reduced by the making of new States and Territories until the Territory proper now includes the lands of the Five Civilized Tribes of Indians, viz.: The Cherokee, Creek, Choctaw, Chickasaw and Seminole Nations, and the lands of the Quapaw agency in the northeast corner of the Territory. The area embraced in this agency is small and the people few.

An idea seems to prevail with those not familiar with the matter, that the Osage nation is a part of the Indian Territory. This is not true—this nation being a part of Oklahoma. The area of the Territory is about thirty-two thousand square miles, and the total population, including Indians, freedmen and whites, according to the census of 1900, is three hundred and ninety-one thousand nine hundred and sixty. It is located between the thirty-fourth and thirty-seventh parallels of north latitude and the seventeenth and twenty-first degrees of west longitude from Washington. It is a beautiful country, embracing rolling prairie land, fertile bottom land, mountainous land and heavily-timbered land, while all the streams carry an abundance of timber for local purposes.

It is bounded on the north by Kansas and Oklahoma, on the east by Missouri and Arkansas, on the south by Texas and on the west by Oklahoma.

It is exceedingly well watered by the Grand, Illinois, Poteau, Kiamichi, Deep Fork, Verdigris, Little, Cimarron, Arkansas, Canadian, Washita and Red Rivers, besides innumerable water courses of less importance than those named. The Territory is one of the best watered sections in the United States, and its water supply is evenly divided between the five nations so that each one is equally well supplied. The water is of an excellent quality and in sufficient quantity. All over the Territory are numerous ever-flowing springs that supply good water for stock and household purposes, and wells give abundant water at a short depth. The bottoms

along the rivers are heavily timbered, and when put under cultivation no soil can be richer. The uplands are of every kind and character from mountains, covered with timber, to prairie, covered with grass. The prairie land in the northern half is especially adapted to raising wheat, having a strong limestone soil that is extremely productive.

In the eastern part of the Cherokee Nation, east of the Grand River, the Ozark Mountains continue across from Arkansas, rough in places, but stretching out into rolling timbered plateaus with a soil that affords abundant vegetation. The north and west portions of the Cherokee Nation consist of high rolling prairie with timber along the streams. The Creek Nation has about an equal amount of timber and prairie land, with the bottoms heavily timbered, while on the uplands open prairie and groves of timber alternate. Open prairie predominates in the eastern half and timber in the western half. The general character of the surface of the nation is rolling. The Choctaw Nation is mountainous in the northeastern portion, but the mountains fall-away at the middle of the nation into rolling timber and prairie lands which extend throughout the western, northern and southern portions. The southwestern part is comparatively level. There is much valuable timber in the Choctaw Nation. The Chickasaw Nation is generally rolling prairie and timbered lands, although the Arbuckle Mountains lie about in the center of it. These, however, are a low range of mountains. This nation has a large amount of fine tillable land—a deep sandy soil, especially adapted to cotton, corn, fruit and vegetables.

PRODUCTS.

There seems never to have been any statistical information compiled concerning the agricultural products, and the stock interests of the Territory, so we are unable to give data from which comparison can be made. The acreage of all crops is increasing every year, and the next few years will see a far greater increase than at any time in the past. As the lands pass into the hands of actual white owners the growth and development in this direction will be enormous.

In agricultural and horticultural resources and products the Indian Territory is not excelled by any portion of the United States.

The wheat belt of Oklahoma from which the highest yield and finest sample of wheat in the world is produced, extends south to the Chickasaw and Choctaw Nations, and east through the Creek, Seminole and Cherokee Nations, and an average yield of twenty-five bushels per acre is annually harvested. Oats, barley, rye, alfalfa, millet and sugar cane produce abundant crops, and nowhere is the corn crop more certain or more productive. From the Red River on the south to the Kansas State line cotton is produced and statistics show that next to Texas the Indian Territory furnishes the largest amount of any State in the Union. The staple is particularly good, as is evidenced by the high market price at all times paid for Territory cotton. From one-half bale on the uplands to one and one-half bales in the bottoms per acre is the yield, and the enormous acreage planted annually makes the cotton crop the most important of all Territory products. All vegetables known to this continent grow abundantly and orchards and vineyards are an ever increasing source of revenue to the thrifty farmer. Apples, peaches, pears, plums, cherries, apricots, paw-paws, grapes, walnuts, pecans, hickory nuts, melons, canteloupes and pumpkins grow in all portions of the Territory. Strawberries are raised extensively, as are blackberries, and annually large shipments are made to the northern markets. In the output of potatoes, yams, navy beans and other truck-garden prod-

ucts, the Territory is rapidly becoming an important factor.

The great diversity of crops is of especial advantage and obviates the necessity for depending upon one or two articles for a product, and the average price realized is much better than in the neighboring States.

Prairie grass grows in a great abundance and makes an excellent quality of hay. Alfalfa, while not heretofore grown extensively, has been experimented with, until it has been thoroughly demonstrated that it is adapted to the country, and its acreage is increasing rapidly.

STOCK RAISING.

We quote the following from the Muskogee Phoenix, because it clearly gives the information on this subject in concise form:

"The Territory is exceedingly well adapted for raising stock of all kinds. The long summers and mild short winters, luxuriant grass on the prairies and glades and the abundant mast of the forests are all favorable to this industry. Cattle, sheep and hogs grow thriftily and multiply rapidly. Heretofore cattle raising has been more profitable than agriculture. Owing to former legal prohibitions against anyone but Indians occupying or using lands, straight farming has been a very unsatisfactory and uncertain occupation. But the uncertainty as to land titles did not keep the grass from growing, and the country became maturing ground for cattle bred further south. Every spring great herds of cattle are shipped or driven in from Texas, and after fattening during the summer are shipped to northern markets in the fall. They come in thin in flesh and weak, but go out fat and strong. This system of cattle pasturing has grown up because there were large areas of unoccupied land which were enclosed with wire fence and rented out annually for pasturing cattle. The allotment of land will eventually change this system of cattle grazing, though perhaps, not immediately. The cattlemen are striving to continue these large pastures by renting allotments from citizens. This plan is meeting with considerable success and will no doubt prove advantageous to the allottee and the cattle raiser, the one receiving a reasonable rental for his unbroken land and the other utilizing the natural grass which grows upon it. Of course this policy will gradually adjust itself to the needs and wants of the "man with the hoe," who will come, as he always has come, and occupy all the land fit for cultivation, leaving only the untillable land for pasture purposes. When that time comes there will be fewer large herds of cattle in the Territory, but there will be a far greater number of cattle in the aggregate. There will be numerous small herds and every farmer will own a few

head. More cattle will be raised here and better breeds, and the Territory will no longer be a pasturing ground for Texas cattle in transit to market."

The horses of the Territory are generally of small stature, but of exceedingly strong and hardy constitution. Of course there are lots of good horses in the Territory, and the number is increasing every day, but there is an opportunity for breeding and raising a better grade of horses that is bound to become profitable as the country develops. This is naturally an industry that keeps pace with the growth and development of a country and becomes a source of large profit.

FISH AND GAME.

All of the streams are abundantly supplied with fish, and some attention has been given towards stocking the water courses with food fish, as has been done so extensively in most all the States. The chief varieties native to the streams are bass, perch, trout and catfish, the latter growing to great size in the larger rivers.

Like all countries, as civilization comes in game goes out. Of course the buffalo, once so numerous, disappeared years ago, and were followed by the antelope. A few black bear and a few deer are found in the isolated sections, but they are fast disappearing. Wild turkeys, quail, squirrels and rabbits are plentiful, and there are some prairie chickens left.

TIMBER AND COAL.

The appraisement of the timber lands has just been completed, and while no valuation has been put upon them as yet, it is shown that there are something over one million acres of commercial timber in the Territory, most of it being in the mountain districts of the Choctaw Nation. This will be a source of great wealth in the future.

The varieties of timber in the Territory are pine, oak, hickory, elm, maple, ash, walnut, hackberry and pecan. The pecan trees yield a large crop of nuts that are gathered annually. There are no statistics as to the quantity of coal land, and no one knows as yet the extent of the coal fields. It is known, however, that they underlie from twelve hundred to fifteen hundred square miles of territory, but no one knows how much more. They lie in the Choctaw, Chickasaw and Creek Nations principally, and it will undoubtedly develop that large beds of coal exist in the other nations. The veins that are being worked run from four to five feet in thickness. They are bituminous and of an excellent quality. It is said to be the best gas and coke coal west of Pittsburg. There is a sufficient quantity to supply any possible demand the future may make.

Coal and asphalt in the Choctaw and Chickasaw Nations are reserved to the tribes and owned by them as a nation. They are not to be allotted in severalty as are the agricultural lands. The coal lands are being worked under leases, the consideration being a royalty on the coal mined which is paid to the United States Government for the benefit of the Indians.

Under the Creek and Seminole treaties all coal and mineral lands are allotted the same as agricultural lands and the allottee gets the benefit of whatever he may find under the ground. It follows then that coal, oil and mineral lands can be purchased from the "citizen" on the same terms that apply to other lands.

OIL AND MINERALS.

What the future of the Territory will develop in the way of oil fields is at this time a secret religiously kept from the public. The judgment of the writer is that the oil belt of Texas extends entirely across the Territory and will in time enrich this country as it has already enriched Texas. In our work we found numerous indications of oil, and in a number of places oil wells have been put down and the result always shows that oil exists in paying quantities. But the moment it is demonstrated that oil is there the well is plugged and it is given out that while they had some oil it did not pay. This is done because title to the property could not be obtained from the Indians, and the matter is held in abeyance until title can be secured when oil will come to the front with a rush. It will only be a short time now until the Indian can make a deed and the oil lands will be opened up by capital that is only awaiting the opportunity.

Lead, iron and zinc are known to exist in the Cherokee, Choctaw and Creek Nations and some gold and silver has been found, but to what extent they do exist is an unknown problem. There is no question but that lead and zinc will be found in large quantities, but it is not likely that gold or silver will be discovered in anything like such quantities as would be profitable. Asphaltum exists in the Chickasaw and Choctaw Nations, and is now being mined to a large extent on a similar plan to that on which coal is mined. There is plenty of granite, limestone and building stone in the Territory and along Sallisaw Creek and Illinois River in the Cherokee Nation are great beds of an excellent quality of marble that is susceptible of an extremely high polish.

MAP.

The map that we use with this publication is an official Government map, corrected fully to this date. Our readers will find that frequent reference to it will aid them materially in locating places and points to which reference is made. We have taken great pains to have this made perfectly correct.

UNITED STATES OFFICERS IN THE INDIAN TERRITORY.

UNITED STATES COURTS.

NORTHERN DISTRICT.

Cherokee, Creek and Seminole Nations and the Quapaw Agency.

Judges—Joseph A. Gill, Vinita; Charles W. Raymond, Muskogee.

Clerk District Court—Charles A. Davidson, Muskogee.

Deputy Clerks District Court—Robert C. Hunter, Wagoner; Herbert C. Smith, Tahlequah.

Clerk Court of Appeals—W. P. Freeman, South McAlester; United States Attorney—Pliny L. Soper, Vinita.

Assistant United States Attorneys—James H. Huckleberry, Jr., Muskogee; Orion L. Rider, Vinita.

United States Marshal—Leo E. Bennett, Muskogee.

United States Commissioners—Hanson L. Marshal, Eufaula; Harry Jennings, Claremore; W. H. Brown, Sallisaw; M. C. Reville, Tahlequah; H. E. Don Carlos, Vinita; Henry M. Tate, Wewoka; Thomas Sanson, Jr., Muskogee.

CENTRAL DISTRICT.

Choctaw Nation.

Judges—Wm. H. H. Clayton, South McAlester; Charles W. Raymond, Muskogee.

Clerk District Court—E. J. Fannin, South McAlester.

Deputy Clerks District Court—D. J. Folsom, Atoka; T. B. Latham, Antlers; T. T. Varner, Cameron; I. M. Dodge, South McAlester.

Clerk Court of Appeals—W. P. Freeman, South McAlester.

United States Attorney—John H. Wilkins, South McAlester.

Assistant United States Attorney—D. M. Brown, Antlers.

United States Marshal—Benj. F. Hackett, South McAlester.

United States Commissioners—Allen Wright, South McAlester; Philos S. Jones, Whitefield; G. T. Rolls, Atoka; J. R. Pollen, Poteau; G. A. Spaulding, Goodwater.

SOUTHERN DISTRICT.

Chickasaw Nation.

Judges—Hosea Townsend, Ardmore; Chas. W. Raymond, Muskogee.

Clerk District Court—C. M. Campbell, Ardmore.

Deputy Clerks District Court—N. H. McCoy, Ardmore; J. F. Fleming, Paul's Valley; T. G. Green, Purcell; J. W. Speake, Chickasha; S. H. Wooten, Ryan.

Clerk Court of Appeals—W. P. Freeman, South McAlester.

United States Attorney—Wm. B. Johnson, Ardmore.

Assistant United States Attorney—James E. Humphrey, Ardmore.

United States Marshal—John S. Hammer, Ardmore.

United States Commissioners—S. B. Bradford, Ardmore; William Pfeiffer, Paul's Valley; E. M. Payne, Chickasha; Cornelius Hardy, Tishomingo; Alexander Gullett, Duncan.

INTERIOR DEPARTMENT.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Henry L. Dawes, of Massachusetts; Tams Bixby, of Minnesota; Thomas B. Needles, of Illinois; Clifton R. Breckinridge, of Arkansas. Tams Bixby, Acting Chairman; Allison L. Aylesworth, Secretary. Office at Muskogee.

Indian Inspector—J. George Wright.

Indian Agent—J. B. Shoenfelt.

Revenue Inspector—Guy P. Cobb.

Superintendent of Schools—____ Benedict.

Special Agent—Frank C. Churchill.

Supervising Engineer—H. V. Hinckley.

} Offices at
Muskogee.

EXECUTIVE OFFICERS OF THE NATIONS.

CHEROKEE NATION. Capital—Tahlequah.

Principal Chief—Thomas M. Buffington.

Second Chief—Washington Swimmer.

Treasurer—Joseph M. Lahay.

Executive Secretary—J. T. Parks.

CREEK NATION. Capital—Okmulgee.

Principal Chief—P. Porter, Muskogee.

Second Chief—Maty Tiger, Okmulgee.

Private Secretary—W. A. Porter, Muskogee.

Auditor—H. C. Fisher, Checotah.

Treasurer—G. A. Alexander, Holdenville.

SEMINOLE NATION. Capital—Wewoka.

Governor—John F. Brown, Wewoka.

Treasurer—A. J. Brown, Wewoka.

CHOCTAW NATION. Capital—Tuskahoma.

Principal Chief—G. W. Dukes, Talihina.

National Secretary—Solomon J. Homer, Caddo.

National Secretary—George W. Scott, Sans Bois.

National Auditor—Simon H. Woods, Lennox.

National Attorney—Alinton Telle, Atoka.

Superintendent of Public Instruction—J. W. Everidge, Grant.

CHICKASAW NATION. Capital—Tishomingo.

Governor—Douglas H. Johnson, Emet.

National Secretary—J. L. Thompson, Bee.

Treasurer—W. T. Ward, Tishomingo.

Auditor—R. McLish, Ardmore.

Attorney General—John Davis, Davis.

Superintendent Public Instruction—P. S. Moseley, Wapanucka.

LOCAL INDIAN GOVERNMENTS.

Each nation has its own local or tribal government, consisting of executive and legislative branches, which make and execute local laws governing themselves, only becoming effective on the approval of the President of the United States. Congress passes and the United States Courts execute all laws pertaining to general matters, and the Department of the Interior formulates rules and regulations under the authority of treaties with each nation. General laws applicable to one and all cannot be had until a regular territorial form of government is created, which it is to be hoped will be in the near future. The incorporated towns, however, have the authority to govern themselves in the same manner as they can do in the regularly constituted States. This gives opportunity for schools and public improvements, and provides for all their necessities.

United States jails are located at Muskogee, South McAlester and Ardmore.

The Territory is divided into three judicial districts, viz.: The Northern, Central and Southern. The seat of the Northern District is at Muskogee, that of the Central District at South McAlester, and that of the Southern District at Ardmore. These places are made recording points where deeds, mortgages, etc., are recorded by the United States Clerk. Terms of court are held at various places. The Curtis act of June 28, 1898, abolished all tribal courts in the Cherokee and Creek Nations, but did not deprive the councils of the right to enact laws subject to the approval of the President. The judicial system of the Choctaw Nation is vested in one Supreme Court, Circuit and County Courts, and that of the Chickasaw Nation is practically the same.

The government of all the five tribes are modeled after those of the States of the Union. They are supported by the interest on the trust funds held by the United States Government.

SCHOOLS AND CHURCHES.

There is no regularly constituted system of public schools in the Territory, and it is so only from the force of circumstances, but the school facilities are excellent and are increasing every year. There is an excellent system in force for Indian children, and efficient and competent teachers are employed. In accordance with the rules and regulations of the Secretary of the Interior there is appointed a Superintendent of Schools for the Indian Territory, also Supervisors of Schools for each nation, in whom full power and authority is invested, under such rules and regulations as may be prescribed by the Secretary of the Interior. The white children are provided with schools by what are called neighborhood schools, these being established by private donation and subscription. Of course the incorporated towns are provided with as good schools as can be found anywhere, and it is only a question of time when the country will be placed in the same condition.

The last report of the United States Indian Inspector gives the following estimate as the number of school children between the ages of six and eighteen years in the Indian Territory.

| Nations | Indians | Negroes | Whites | Total |
|-----------------------------------|---------------|--------------|---------------|---------------|
| Cherokee..... | 8,340 | 950 | 10,000 | 19,290 |
| Creek | 1,850 | 1,300 | 3,500 | 6,650 |
| Choctaw | 4,000 | 1,000 | 16,000 | 21,000 |
| Chickasaw | 1,500 | 1,000 | 25,000 | 27,500 |
| Seminole | 400 | 400 | 100 | 900 |
| Total School Population... | 16,090 | 4,650 | 54,600 | 75,340 |

Again we lack statistical information in the matter of churches and can give no data as to the various denominations. Every denomination is represented and churches are found everywhere. The people of the Indian Territory rank with those of other States in religious matters, and the same facilities for church attendance can be found here that can be had in the States and Territories of the West.

RAILROADS.

The Territory is well supplied with railroads and more are being built and extended.

The Missouri, Kansas and Texas Railway was the pioneer railroad into the Territory. It enters just south of Chetopa, Kan., and runs in a southerly direction clear across the Territory, crossing the Cherokee, Creek and Choctaw Nations, making its exit at the Red River just north of Denison, Tex., continuing its way through Texas down to the Gulf of Mexico.

The St. Louis and San Francisco Railroad traverses the Cherokee Nation from the northeast to the southwest corners and into the Creek Nation to Sapulpa, where it branches, one branch going south through the Creek, Seminole and Chickasaw Nations to Denison, Tex., the other branch going southwest into Oklahoma. It also has a line entering the Choctaw Nation at Jenson and passing down through this nation to Paris, Tex.

The Atchison, Topeka and Santa Fe enters south of Caney, Kan., running along the western side of the Cherokee Nation to Owasso, with a proposed extension on south through the Territory.

The St. Louis, Iron Mountain and Southern Railway (a part of the Missouri Pacific system) comes in below Coffeyville, Kan., passes southerly through the Cherokee Nation and the Creek Nation, and goes east into Arkansas.

The Kansas City, Pittsburg and Gulf Railroad enters the east side of the Cherokee Nation, passing southerly through it and into the Choctaw Nation and passes into Arkansas.

The Choctaw, Oklahoma and Gulf Railroad enters the Choctaw Nation from Arkansas, running westerly across this and the Seminole Nation into Oklahoma.

The Gulf, Colorado and Santa Fe (a part of the Santa Fe system) crosses the Chickasaw Nation north and south through the center of it.

The Chicago, Rock Island and Pacific Railway runs along the western boundary of the Chickasaw Nation, passing entirely through it.

The Arkansas and Choctaw Railroad enters the Choctaw Nation at the southeast corner of the Territory and passes entirely through the southern portion of the Choctaw and Chickasaw Nations into Oklahoma.

Among the proposed new roads is the Choctaw, Oklahoma and Gulf branch from Hartshorne on their main line on through the Choctaw Nation and crossing the Chickasaw Nation into Oklahoma.

The Atchison, Topeka and Santa Fe will be extended from its present terminus in the Cherokee Nation in a southerly direction on through the Territory.

The Fort Smith and Western Railway will enter the Choctaw Nation from Fort Smith, Ark., passing through that and the Creek Nation into Oklahoma.

The Muskogee and Western Railroad is building from Fort Gibson through to Oklahoma.

THE PEOPLE OF THE TERRITORY.

The five nations of the Indian Territory are the Choctaw, Chickasaw, Creek, Cherokee and Seminole. The approximate area of lands controlled by these five tribes is 19,776,140 acres with an estimated aggregate population of 88,750 Indians, including freedmen, as shown by the last annual report of the Commission to the Five Civilized Tribes as follows:

| Tribe | Population | Totals | Acres of land | Acres per capita |
|--|--------------|--------|---------------|------------------|
| Cherokee: | | | | |
| Indians | 30,000 | | | |
| Freedmen..... | 4,000 | | | |
| Delawares | <u>1,000</u> | 35,000 | 5,031,351 | 129 |
| Creek: | | | | |
| Indians | 10,000 | | | |
| Freedmen..... | <u>6,000</u> | 16,000 | 3,040,000 | 190 |
| Choctaw: | | | | |
| Indians | 16,000 | | | |
| Freedmen..... | <u>4,250</u> | 20,250 | 6,688,000 | 330 |
| Chickasaw: | | | | |
| Indians | 6,000 | | | |
| Freedmen..... | <u>4,500</u> | 10,500 | 4,650,935 | 443 |
| Seminole: | | | | |
| Indians | 1,500 | | | |
| Freedmen..... | <u>1,500</u> | 3,000 | 365,854 | 122 |
| Total population and acres of land. | | 84,750 | 19,776,140 | |

In this estimate under the head of Indians are included all full bloods, mixed bloods and intermarried whites, including those who possess but a small degree of Indian blood.

The Indian population may be divided into four classes, almost equal in number, viz.: Full bloods, half-breeds, freedmen and intermarried whites.

In the work of making farms and cultivating land the "white" Indians, half-breeds and negroes have been most active, while the full-bloods, as a rule, have been crowded back into the hills, where the restraints of civilization bear lightly upon them. Everybody would be an "Indian" in the Territory to-day, and many white people are "citizens" from a trace of Indian blood, in whom no

one would suspect that it existed. In fact it is so little that it does not "count" except for the purposes of citizenship, and by that means acquiring allotment-rights. Some of the brightest and shrewdest business and professional men in the Territory are "Indians" in this sense, but in no other sense.

The total population of the Indian Territory, as given by the census of 1900, is as follows:

| NATIONS | POPULA-TION. |
|--------------------|--------------|
| Cherokee..... | 101,754 |
| Chickasaw..... | 139,260 |
| Choctaw..... | 99,681 |
| Creek | 40,674 |
| Seminole..... | 3,786 |
| Quapaw Agency..... | 6,805 |
| Total..... | 391,960 |

Deducting from the total population 391,960 in the Territory, the people in the Quapaw agency, 6,805, and the number of Indians in the Territory, 84,750, a total of 91,555, leaves 300,405 white people in the Indian Territory. They comprise the people in business and living in the towns, renting farms in the country, the labor element and those pursuing the usual vocations of life. Think of it, only three hundred thousand people occupying twenty million acres of land and see the opportunity of homeseekers, investors and labor of every kind as these lands are opened up by purchase from the Indians, as will be done as soon as title can be secured, which will be in a short time.

TOWNS.

The Territory has no cities, but has a large number of healthy, growing, thrifty towns, which will make the cities of the future, and that future is close at hand. There is no such opportunity anywhere in the United States for honest and legitimate growth and development of both towns and country as there is in the Indian Territory. Other sections may have booms, and wild and crazy conditions. None such exist here, and they are not wanted. We want rapid, honest, substantial development and nothing can prevent its coming.

We give the population of some of the principal towns as given by the census report of 1900:

| TOWN | NATION | POPULATION |
|----------------------|-----------------------------|------------|
| Ardmore..... | Chickasaw | 5,681 |
| Muskogee..... | Creek..... | 4,254 |
| South McAlester..... | Choctaw..... | 3,479 |
| Chickasha..... | Chickasaw..... | 3,209 |
| Wilburton..... | Choctaw..... | 3,000 |
| Durant..... | Choctaw..... | 2,969 |
| Coalgate..... | Choctaw..... | 2,614 |
| Wagoner..... | Creek..... | 2,372 |
| Hartshorne..... | Choctaw..... | 2,352 |
| Vinita..... | Cherokee..... | 2,339 |
| Krebs..... | Choctaw..... | 2,300 |
| Purcell..... | Chickasaw..... | 2,020 |
| Wynnewood..... | Chickasaw..... | 1,907 |
| Miami..... | Ottawa (Quapaw Agency)..... | 1,527 |
| Roff..... | Chickasaw..... | 1,500 |
| Lehigh..... | Choctaw..... | 1,500 |
| Tahlequah..... | Cherokee..... | 1,482 |
| Pauls Valley..... | Chickasaw..... | 1,467 |
| Tulsa..... | Creek..... | 1,390 |
| Davis..... | Chickasaw..... | 1,346 |
| Sulphur..... | Chickasaw..... | 1,198 |
| Duncan..... | Chickasaw..... | 1,164 |
| Atoka..... | Choctaw..... | 1,150 |
| Marlow..... | Chickasaw..... | 1,016 |
| Antlers..... | Choctaw..... | 1,000 |
| Okmulgee..... | Creek..... | 1,000 |
| Ryan..... | Chickasaw..... | 1,000 |
| Sallisaw..... | Cherokee..... | 965 |
| Caddo..... | Choctaw..... | 930 |
| Sapulpa..... | Creek..... | 891 |
| Claremore..... | Cherokee..... | 855 |
| Marietta..... | Chickasaw..... | 842 |

| TOWN | NATION | POPULATION |
|-------------------|----------------|------------|
| Checotah..... | Creek..... | 805 |
| Alderson..... | Choctaw..... | 800 |
| Stilwell..... | Cherokee..... | 779 |
| Eufaula..... | Creek..... | 757 |
| Holdenville..... | Creek..... | 749 |
| Talihina..... | Choctaw..... | 748 |
| Oakland..... | Chickasaw..... | 701 |
| Bartlesville..... | Cherokee..... | 698 |
| McAlester..... | Choctaw..... | 646 |
| Bristow..... | Creek..... | 626 |
| Howe..... | Choctaw..... | 626 |
| Fort Gibson..... | Cherokee..... | 617 |
| Afton..... | Cherokee..... | 606 |
| Sterrett..... | Choctaw..... | 575 |
| Chelsea..... | Cherokee..... | 566 |
| Comanche..... | Chickasaw..... | 547 |
| Spiro..... | Choctaw..... | 543 |
| Canadian..... | Chociauw..... | 522 |
| Rush Springs..... | Chickasaw..... | 518 |
| Buck..... | Choctaw..... | 510 |
| Center..... | Chickasaw..... | 500 |
| Fairland..... | Cherokee..... | 499 |
| Nowata..... | Cherokee..... | 498 |
| Pryorcreek..... | Cherokee..... | 495 |
| Muldrow..... | Cherokee..... | 465 |
| Dougherty..... | Chickasaw..... | 437 |
| Minco..... | Chickasaw..... | 400 |
| Thomasville..... | Choctaw..... | 400 |

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

By the act of Congress of March 3, 1893, the Commission to the Five Civilized Tribes came into existence. It is at this time composed of Hon. Henry L. Dawes, of Massachusetts, Chairman; Hon. Tams Bixby, of Minnesota, Acting Chairman, and Hon. Thomas B. Needles, of Illinois, and Hon. Clifton R. Breckinridge, of Arkansas, Commissioners, with Allison L. Aylesworth, of Minnesota, as Secretary. The offices of the Commission are located at Muskogee, with local offices at such other points as seem necessary for the expedition of the work under their charge. A large clerical force is employed to compile and record the mass of detail information that must be procured in order to attain the object for which the Commission was created.

We quote the following from the Seventh Annual Report (the last one) of the Commission:

"The Commission to the Five Civilized Tribes was created by act of Congress March 3, 1893, with instructions to enter into negotiations with the several nations of Indians in Indian Territory for the allotment of land in severalty or to procure the cession to the United States of lands belonging to the Five Tribes at such price and terms as might be agreed upon, it being the expressed determination of Congress to bring about such changes as would enable the ultimate creation of a territory of the United States, with a view to the admission of the same as a State of the Union. * * *

"Had it been possible to secure from the Five Tribes a cession to the United States of the entire Territory at a given price, the tribes to receive its equivalent in value, preferably a stipulated amount of the land thus ceded, equalizing values with cash, the duties of the Commission would have been immeasurably simplified, and the Government would have been saved incalculable expense. One has but to contemplate the mineral resources, developed and undeveloped, and existing legislation with reference thereto, to realize the advantages which awaited such a course. When an understanding is had, however, of the great difficulties which have been experienced in inducing the tribes to accept allotment in

severalty—a direct division of their estate with consequent individual ownership of their homes—it will be seen how impossible it would have been to have adopted a more radical scheme of tribal extinguishment, no matter how simple its evolutions. Nevertheless the plan adopted by the Commission for the administration of this vast estate is not without its advantages; and when its labors, and those of the various officers who have been detailed or appointed to aid in closing the history of these nations shall have been completed, there will have been dissipated one of the most vexatious internal questions with which Congress in recent years has had to deal.

"Instead of an arid western plain occupied by the savage of tradition, as many suppose, the Commission found a territory not greatly smaller than the State of Maine, rich in mineral and agricultural resources and in valuable timber; a country which has been occupied and cultivated for over half a century, whose fertile valleys yielded bountiful harvests of southern products, and on whose prairies grazed a quarter of a million cattle yearly; where cities had sprung up; through which railroads had been constructed; and where five distinct modern governments existed, independent of the sovereignty of the United States."

In the commencement of the work the Commission encountered many difficulties that had to be overcome as they appeared, and the visible advancement of the work was necessarily slow. Tremendous obstacles had to be removed. The Indians themselves were antagonistic and could not see anything to be gained for themselves; did not understand and did not believe that Congress was acting for their best good; did not think any advantage could accrue to them individually; individuals of power and influence among them opposed the efforts of the Commission because when the object was attained they would individually be losers, and other difficulties too numerous to mention had to be wiped away. But all this is changed through the efforts of the Commission, and the work of enrollment, appraisement and allotment and the final issuing of deeds to the individual citizen is nearing completion. While there is an immense amount of detail work yet for the Commission to do, yet the principal objects are practically accomplished. The appraisement of every acre of land in the Indian

Territory, in forty-acre tracts, is completed. This was one of the great undertakings before the Commission. To accomplish it required the services of 230 men, divided into camps of ten men each. These appraisers actually visited every forty acres in the Territory and placed each forty acres in its proper grade.

On April 23, 1897, a treaty was concluded with the Choctaw and Chickasaw Nations, that is now known as the Atoka agreement (this agreement is published in full elsewhere), by which these nations agreed to accept their lands in severalty.

On December 16, 1897, a treaty was concluded with the Seminoles to the same purpose.

On March 8, 1900, the Creek Nation entered into treaty with the Government under which they agreed to a division of their lands.

All these treaties have been ratified by Congress and the Indians and are now in full force and effect. Several attempts have been made to arrange a treaty with the Cherokees and treaties have been made, but so far have failed to be ratified by the Cherokee Indians, when they have come before them for that purpose. This nation though is under the provisions of the act of Congress of June 28, 1898, known as the Curtis act (published elsewhere), and allotment will proceed under that act, if an early agreement is not concluded with the Cherokees.

About ninety per cent of the citizens in the Creek Nation have received their final allotments and deeds will shortly be issued to them.

The allotment of the Seminole Nation is practically completed and allotment will commence in the Chickasaw and Choctaw Nations at an early date, as the enrollment is going on very rapidly.

The appraisement of lands in the Seminole Nation, in conformity with the requirements of the agreement with that nation, has been completed with the following result. The total area of land appraised was 365,854.39 acres, as tabulated below:

| Class | Arbitr'ry value per acre, fixed by agreement | Number of Acres | Total Value |
|------------|--|--------------------|----------------|
| 1..... | \$5.00 | 24,055.89 | \$120,279.35 |
| 2..... | 2.50 | 248,837.48 | 622,093.68 |
| 3..... | 1.25 | 92,961.02 | 116,201.25 |
| Total..... | | 365,854.39 | \$858,574.28 |

The valuation thus shown does not represent the actual value of the lands, the Commission not being authorized to appraise these lands at their true value, but merely to designate which were best, which second best, and which third best, and when so classified the valuations shown attach by virtue of the agreement of December 16, 1897.

The Seminole is the only nation on whose lands an arbitrary value is placed. The values will be placed on the lands of all other nations by the Commission to the Five Civilized Tribes.

TOWN SITES.

The Curtis act, June 28, 1898, provides for the establishing of town sites. Townsite Commissions have been appointed who are authorized to lay out and survey townsites with the necessary streets, alleys and public grounds, including parks and cemeteries, giving to each town such territory as may be required for its present needs and reasonable prospective growth; they are authorized to prepare correct plats. All town lots are appraised by the town site commissions at their true value, excluding improvements, with a separate appraisement made on the improvements. The owners of the improvements on each lot have the right to buy one residence and one business lot at fifty per cent of the appraised value of such lot, and the remainder of such improved lots at sixty-two and one-half per cent of their appraised value, and he must within ten days from his purchase pay into the Treasury of the United States one-fourth of the purchase price, and the remainder in three annual installments thereafter, when patent will be issued. All town lots not improved are appraised by the Commission, and after due notice are sold from time to time to the highest bidder at public auction, but for not less than their appraised value. Payments for unimproved lots are made in the same manner as for improved lots. A patent is issued without expense to the purchaser conveying to him the title to such town lots.

The terms of payment vary some in the different nations, but not materially. The exact terms for each nation are given in the article showing the application of the provisions of the treaties and laws to each nation.

LANDS AND TITLES AND GENERAL CONDITIONS.

It is almost impossible to give an intelligent idea of the value of farm lands in the Indian Territory, because as yet no titles have been transferred from the Indian to the purchaser. The whites who have been farming have leased the land from the "citizen" and operated under these leases. This can be done in the future just the same, until title can be secured, which will be as soon as patents are issued to the Indians, and this will be done in the Creek Nation probably about December 1, of this year. Under the law the Indian must retain a portion of his allotment for twenty-one years as a homestead, varying in different nations (See "Application of Treaties and Laws to Each Nation"), and cannot dispose of it until the expiration of this time. He is privileged to sell all the rest of his allotment without restriction at the end of five years, and can sell any or all, except his homestead, at any time after patent is issued, with the approval of the Secretary of the Interior. It is certain that farm lands are going to be sold cheap, and it is also certain that this is the last opportunity to acquire cheap homes, because the lands that come under the homestead and pre-emption laws are practically exhausted in the United States. It is the only new country to which a man can go to build a home for himself and his family, and at the same time it is not pioneering in an unsettled country where one must deprive himself of the comforts, conveniences and necessities of civilized life. It is a land of beauty, a land of plenty, a settled and civilized land, a land with the necessary railroad facilities to transport crops and produce to market, and a land so near the Gulf of Mexico that the cheap rates of water transportation to every part of the world give decided advantage in marketing the productions of the country. It is a land of diversified crops, producing those of both the North and South. Its mineral resources are large and varied; its timber will be a source of great wealth. Its Indians are rich not only in land but in money. The development of the Indian Territory in the coming ten

years will exceed that of any other State or Territory in the Union, and those who come to it in the near future will reap the benefits to accrue under such favorable conditions.

To give an idea of the money wealth of the Five Civilized Tribes we refer to the following table. The trust funds owned by the several tribes, in the United States Treasury, are the proceeds of tribal lands heretofore sold to the Government. Annual interest is paid upon these funds by the Government as follows:

| Tribes | Amount of Principal | Amount of Interest |
|-------------------|-----------------------|---------------------|
| Cherokee..... | \$2,625,842.37 | \$137,469.33 |
| Chickasaw..... | 1,308,695.65 | 68,404.95 |
| Choctaw..... | 549,594.74 | 32,344.73 |
| Creek..... | 2,000,000.00 | 100,000.00 |
| Seminole..... | 1,500,000.00 | 75,000.00 |
| Total..... | \$7,984,132.76 | \$413,219.01 |

For the purpose of giving more detailed information as to the provisions of law concerning the Five Civilized Tribes we publish in full the Creek Treaty, the Seminole Agreement and the Curtis act, the Atoka Agreement being embodied in the latter.

NOTES AND ITEMS.

Farms can be rented of the "citizen" for either a cash rent or for an agreed portion of the crop, on practically the same basis and on the same terms as can be done in other States.

Improvements on town lots can be purchased from the owner of the improvements, and the purchaser of the improvements acquires the right to purchase the lot. In other words, purchase of improvements gives the right to acquire title to the lot.

Any one can improve an unoccupied lot in a town and so acquire the right to purchase the lot.

The strawberry business in the Arkansas Valley is growing to be one of the greatest importance. The sandy soil of this valley is especially adapted to the growing of strawberries, and the early time at which they ripen makes them command large prices in the Northern markets. It is a profitable business.

There are mineral springs all over the Territory and especially at Sulphur, in the Chickasaw Nation and at Alikchi, in the Choctaw Nation. They possess excellent medicinal properties and are coming into repute very fast.

The lumber yards of the Territory are finding trouble in keeping up their stocks of lumber, the demand for it being so great, indicating a rapid progress in the development of the country.

The retail business of the general merchandise stores in every nation is increasing rapidly, so much so that the capital is being increased and stocks provided to supply the demands.

Great interest is being manifested all over the Territory in the Louisiana Purchase Exposition to be held in St. Louis in 1903, and steps are being taken to perfect an organization for the purpose of making an exhibit there that will show the resources and progress of this

country. A most creditable exhibit can be made—one that will attract the attention of everybody.

The total amount of money received, deposited and disbursed by the United States Indian Agent at Muskogee, for the fiscal year ending June 30, 1900 (his report for 1901 not out), was \$825,020.76.

The outlook for the future of the Indian Territory is certainly bright, and in every line of business there are bound to be openings to be filled by people coming here. There is not a line that will not develop to such an extent as to make room for new people in it and those first on the ground will find the best opportunities.

The farm improvements are necessarily of a temporary character and will be replaced by those of a permanent nature. New houses, new barns, new fences, and new outbuildings will have to be made, demanding material of every kind and labor of all trades for their construction. This applies also to agricultural implements, making an immense demand along this line.

During the transitory period, until lands are appraised and allotted by the commission to the Five Civilized Tribes, lands in town sites disposed of, and tribal governments have become extinct, certain laws of Arkansas are extended over the Indian Territory, Federal laws apply in other instances, and the Secretary of the Interior is charged by law with enforcement of rules and regulations governing other matters.

One million acres of commercial timber in this Territory will surely become a source of great wealth.

The Territory has all the sources of wealth it can need. What it does need is the development of its own resources and it will come fast in the near future.

The time will come when the oil wells of the Indian Territory will become as prominent before the country as are those of Texas to-day, and will bring as much wealth to our people as it has brought to those of other localities.

While the official census of 1900 is the latest data that can be procured as to the population of the Indian Territory it is far from correct at this writing. Espe-

cially does this apply to the towns, many of them having grown so rapidly as to double and in some instances to thribble the population, as shown by the 1900 census. While there has been a remarkable growth since the census was taken the next few years will show a greater increase.

Under the Atoka agreement the Choctaws and Chickasaws combine their lands and they are divided bewteen the citizens of the two Nations equally. Deducting the freedmen's allotments in each nation from the total acreage of the two nations, and dividing this number of acres by the number of Choctaw and Chickasaw Indians gives each Indian an allotment of about 490 ocres. Under the same agreement the residue of these lands over 160 acres can be sold without any restriction after deeds are issued, and the entire allotment can be leased at any time without waiting for issue of deeds.

The surveying and platting of town sites was originally done by the town site commissions, but it was found that this was not an advantageous way of doing it, and the surveying and platting was transferred to the Indian Inspector's office. Since the change was made the work has progressed much more rapidly and will be completed in a short time.

The hay business in the Indian Territory is assuming large proportions and is growing rapidly each year, and many fortunes have been made in the leasing of grass lands, putting up the hay and disposing of it, both for home consumption and by shipping it to northern markets. The hay is of an excellent quality and the lands can be leased at a rental that makes the business very profitable.

The Creek Nation is now engaged with the Commission to the Five Civilized Tribes in formulating a supplemental treaty to correct some details that were either overlooked in the general treaty, or have arisen since that treaty was ratified. The proposed supplemental treaty will not change the provisions of the general treaty except in a few instances, and as they are matters that are desired by both the Government and the Creek Nation to give better effect to present provisions

the arrangement will undoubtedly be entered into at an early date.

Under authority of the Curtis act the Secretary of the Interior can lease oil, coal, asphalt and other mineral lands in the Territory for a term of fifteen years, covering 640 acres of land. The rental for each lease is fixed at one hundred dollars per annum for the first and second years, two hundred per annum for the third and fourth years and five hundred dollars per annum for each succeeding year, all rental payments to be made annually in advance. All such payments are made a credit on the royalty to be paid, when each property is developed and operated and its production is in excess of such annual payments.

The qualifications for voting in the towns of the Indian Territory are practically the same as in the towns of other Territories and States. All male inhabitants over the age of twenty-one years who have lived in the town for more than six months and who are citizens of the United States or either of the tribes are qualified voters.

The Mayors of all towns, in addition to their other powers, have the same jurisdiction in civil and criminal cases arising within the limits of the town, as United States Commissioners in the Indian Territory.

Towns and cities in the Territory have no power to impose or levy any tax against any land in the town or city until after title is secured from the tribe. After deeds are issued of course regular taxes can be imposed. Until such title is secured all other property, including all improvements on town lots, with all occupations and privileges, are subject to taxation for municipal purposes not to exceed two per cent of the assessed value.

Some towns in the Territory are located on land that is allotted to some citizen. In this case the allottee must maintain his rights, and it necessitates the purchase from the allottee of his possession until the town site is regularly located, when the regulations concerning town sites govern and lots can be had in the regular way. It amounts to paying twice for the lot, once to the allottee and then to the Government for the

benefit of the tribe. This is a disagreeable feature, but it does not apply to many towns and will soon cease to exist. Most of the towns are located upon land reserved for town site purposes and are entirely free from complicating conditions of any kind. One can go upon any unimproved lot and improve it, and then buy it at one-half its appraised valuation, or one can purchase the improvements upon an improved lot and this purchase carries the right to acquire title in the same way.

Elsewhere is given a table showing the population, acreage of land, and acres per capita of the citizens of each nation. This is somewhat misleading if applied to the allotment of citizens of each nation, as freedmen do not participate equally with other citizens in the division of lands. By deducting the lands of Delawares and freedmen in the Cherokee Nation and those of the freedmen in the other nations and dividing the net acreage of lands in each nation by the number of Indians in the respective nations, we get the number of acres, approximately, that each Indian would receive in the general division, provided all lands were of equal value, as follows:

| | |
|------------------------------|-----------|
| Choctaws and Chickasaws..... | 490 Acres |
| Cherokees | 160 " |
| Creeks..... | 280 " |
| Seminole..... | 200 " |

To be exact the reservations for town sites and other purposes should be deducted before the computation is made, but these figures are near enough for the purpose.

Application of the Provisions of Treaties and Laws to Each Nation.

CREEK NATION.

Under the treaty with the Creek Indians all lands belonging to the Creek Nation, except the town sites and lands reserved for Creek schools and public buildings, are to be appraised at their true value, exclusive of improvements on lands in actual cultivation. The appraised lands are then to be allotted among the citizens of the tribe so as to give each citizen an equal share of the whole, in value. When the allotment is completed (which is practically done at this time), each citizen will have selected 160 acres of land, having the privilege of selecting such land so as to include the improvements that belong to him.

One hundred and sixty acres of land, valued at \$6.50 per acre, constitute the standard value of an allotment, and is the measure for the equalization of values. Any allottee receiving lands of less than the standard value of an allotment may select other lands, which, at their appraised value, will bring his allotment up to the fixed standard. If any selected allotment, at its appraised value, exceeds the fixed standard the excess value of his allotment is charged against him and deducted from his share in the future distributions of the funds of the tribe until his excess valuation of allotment is paid in full. If his portion of the distributive funds of the

tribe should be insufficient to pay the excess valuation then it becomes a lien upon the rents and profits of his allotment until paid. A citizen, however, has the privilege of paying into the funds of the tribe, in money, the amount of any excess valuation of his allotment.

Allotments for minors are selected by parents or guardian, and cannot be sold during their minority.

Allotments for prisoners, convicts and aged and infirm persons are selected by their appointed agents.

Allotments for incompetents are selected by guardians, curators or persons of kin.

A citizen who has been holding more land than he and his family are entitled to must make a selection of that amount of such land as he is entitled to hold for himself, wife and minor children. If he have lawful improvements upon such excess holding he may sell such improvements to any other citizen, or he may remove the improvements if he desires. Any allottee selecting an allotment from the excessive holdings of another citizen must pay that citizen the value of the improvements as appraised by the appraisement committee provided for by the treaty, and this amount shall be a lien upon the land until paid.

All controversies arising between citizens as to their rights to select certain tracts of land are determined by the Commission to the Five Civilized Tribes.

Lands allotted to Creek citizens cannot be incumbered, taken or sold, to satisfy any debt or obligation contracted or incurred prior to the date of the deed issued to the allottee. Such lands are not alienable by the allottee or his heirs until after five years from the ratification of the treaty (May 25, 1901), except with the approval of the Secretary of the Interior. Each allottee must select from his allotment forty acres of land, which he cannot sell or dispose of, but must retain as a homestead, and which he cannot incumber, and which is not taxable for twenty-one years. He may, however, sell, incumber or dispose of the residue of his allotment, over and above the forty-acre homestead, without restriction after five years, and prior to that time with the approval of the Secretary of the Interior. The homestead of each citizen in case of the death of the allottee, remains for the use and support of children born after the ratification of the treaty. In case there are

no children he may dispose of it by will, or in case no will exists it goes to his heirs without limitation.

The Secretary of the Interior must, through the Indian agent of the Territory, place each citizen in unrestricted possession of his land when he has made his selection and received his certificate of allotment.

After each citizen has received his allotment of 160 acres, the residue of lands not reserved or otherwise disposed of, and all funds accruing under the provisions of the treaty, are to be used for the purpose of equalizing allotments, and if they are not sufficient any other funds of the tribe will be used, so that all allotments may be made, as near as may be, equal in value.

All towns in the Creek Nation that had a population of two hundred people or more at the date of the treaty (March 8, 1900), must, and all other towns may be, surveyed, laid out, platted into town lots, streets, alleys and parks, by the Secretary of the Interior under such rules and regulations as he may prescribe.

The Secretary of the Interior is authorized to appoint a town site commission consisting of three members, one of whom must be a citizen of the nation. After the approval of the surveying, platting, etc., by the Secretary of the Interior, it is the duty of the town site commission to appraise and sell the town lots for the benefit of the tribe. The judgment of any two members governs in appraising; if no two agree the matter is determined by the Secretary. When public interest justifies a separate town site commission may be appointed for any town. The Secretary of the Interior may at his discretion permit any town to make its own survey, plat, etc., subject to his approval.

The Secretary of the Interior may for cause remove any town site commissioner, and fill the vacancy by appointment in the same manner as the place was originally filled.

Town site limits may be so established as to best subserve the present needs and reasonable prospective growth of the town.

When recommended by the Commission to the Five Civilized Tribes, the Secretary of the Interior may reserve from allotment any land, not exceeding 160 acres is one tract for town sites, for railroad stations as are or shall be established on any line of railroad, either already constructed, or in process of construction, with-

out any reference to the population of such town site. When such land is occupied by a citizen of the nation he shall be fully compensated for his improvements.

Any person occupying any town lot with permanent improvement upon it has the right to purchase such lot by paying one-half of the appraised value of the lot, but he must make the first payment within sixty days after notice of the appraised value of his lot, or the lot and improvements may be sold at auction, under the direction of the town site commission at a price not less than their appraised value, the purchaser paying to the owner of the improvements the appraised price thereof less the appraised value of the lot.

Any person having the right of occupancy of one business and one residence lot in any town, and not owning any other land in that town, has the privilege of purchasing such business and residence lots at one-half their appraised value, although they may have no improvements thereon.

Any person who may have purchased any lot or parcel of land not exceeding four acres, in any town, from any one in legal possession at the time, and prior to the date of the Creek agreement, has the right to purchase such land at one-half its appraised value.

All town lots, having no improvements upon them, and not otherwise specifically provided for, are sold by the town site commission at public auction, from time to time, after advertising the sale, at not less than their appraised value.

Any person having the right of occupancy of lands in any town which has been or may be laid out into town lots, to be sold at public auction, has the right to purchase one-fourth of all the lots into which such lands have been divided at two-thirds of their appraised value.

When any town lot, upon which are improvements, has been appraised, the town site commission notifies the owner of the improvements of the amount of the appraisement of the lot, and he must, within sixty days from date of that notice, make payment of ten per cent of the amount due for the lot, and four months thereafter must make an additional payment of fifteen per cent of the amount, and the remainder of the purchase money is paid in three annual payments without interest. Payments for unimproved lots are made in the same manner and upon the same terms as for improved lots.

A purchaser has the privilege in either case of paying the entire amount due at any time. In case any payment is not made when due it bears interest at ten per cent per annum, until paid.

All town lots purchased under the provisions of the agreement are free from incumbrance by any debt contracted prior to the date of the deed. All deferred payments constitute a lien upon the property for which the debt was contracted, and if any payment is due and unpaid at the end of two years from the date of the fifteen per cent payment, the lien for the payment of all purchase money remaining unpaid may be enforced in the United States Court in the same manner as vendors' liens are enforced, the suit to be brought in the name of the Principal Chief for the benefit of the tribe.

No taxes can be assessed against any unsold town lot, but they can be assessed against any lot upon which any payment has been made, and all taxes so assessed become a lien upon the interest of the purchaser in such lot, and in case of the forfeiture of the lot all taxes assessed against that lot are paid out of any money the purchaser may have paid on the lot.

Towns have the right to purchase land for cemetery purposes, may dispose of burial lots and apply the proceeds for the improvement of the property.

The United States may purchase land for courthouses, jails and other public buildings at its appraised value, paying for any improvements that may be upon the land selected.

All schools and institutions of learning located in incorporated towns may purchase the lots or parcels of land they occupy at one-half their appraised value.

Town lots or parts of lots not exceeding fifty by one hundred and fifty feet, upon which church houses and parsonages have been erected, are conveyed gratuitously, and if they have adjoining lots enclosed necessary for their use, the churches can purchase such lots at one-half their appraised value.

The Secretary of the Interior furnishes the Principal Chief of the Creek Nation with the blank deeds necessary for all the conveyances provided for in the treaty. The Principal Chief issues the deed to each allottee for the lands embraced in his allotment certificate, and for lands to which he becomes entitled in the equalization of his allotment. The deed transfers all right, title and

interest of the Creek Nation in the land deeded, and in accepting the deed the allottee relinquishes all his individual right, interest and title to the lands of the tribe, except in the proceeds of lands reserved from allotment. Deeds to town lots are issued in like manner. All deeds are to be approved by the Secretary of the Interior, and this approval serves as a relinquishment of all right, title and interest of the United States in the lands embraced in the deed.

All deeds after execution and approval are filed in the office of the Commission to the Five Civilized Tribes without expense to the grantee.

The following lands are reserved from the general allotment: All lands set apart for town sites; all lands to which any railroad company may have a vested right for right of ways, depots, station grounds, water stations, stock yards or for similar uses in the maintenance and operation of the road; lands for certain schools and charitable institutions; lands for town cemeteries; lands occupied by the university established by the American Baptist Home Mission Society; one acre each for six Creek court-houses, and one acre each for all churches and schools outside of towns, used regularly as such.

Municipal corporations are authorized, with the approval of the Secretary of the Interior, to issue bonds and borrow money thereon, for sanitary purposes, the construction of sewers, lighting plants, water works and school houses.

All moneys paid to the tribe under the provisions of the treaty are paid into the United States Treasury to the credit of the tribe, and all money expended for the purposes of equalizing allotments, or other provisions of the agreement, are paid under the direction of the Secretary of the Interior.

The United States pays all expenses of surveying, platting, disposition of town lots and allotments of lands, except where special permission is given to towns to survey and plat at their own expense.

Creek citizens may rent their allotments, when selected, from year to year, and after they receive their deeds they may rent without any restriction, providing adjoining allotments are not injured thereby.

Cattle may be grazed on leased allotted lands and not be subject to any tribal tax, but when grazed on lands that have not been allotted the Secretary of the

Interior is authorized to collect a reasonable grazing tax for the benefit of the tribe. As at this time the Creek lands are practically all allotted this provision is not of any particular force.

No non-citizen renting lands from a Creek citizen, whether such lands have been selected as an allotment or not, shall be required to pay any permit tax.

The tribal government of the Creek Nation cannot continue longer than March 4, 1906, subject to such further legislation as Congress may decree proper.

Section fourteen of the Curtis act (June 28, 1898) is in force as to its application to the Creek Nation, but all other provisions of this act in no way apply when inconsistent with the Creek treaty. This section provides that any city or town in the Territory, having two hundred or more people, may petition the United States Court for incorporation, and become incorporated as provided for in chapter twenty-nine of Mansfield's Digest of the Statutes of Arkansas, the clerk of the court performing all the acts required of the Recorder of the County, the Clerk of the County Court, or the Secretary of State, necessary for the incorporation of the town, as provided in Mansfield's Digest. When a town is so incorporated it possesses all the powers and exercises all the rights possessed and exercised by the municipalities in the State of Arkansas. All male inhabitants of the town, who are citizens of the United States, or of the tribes, who are over twenty-one years old, and have resided in the town for six months prior to any election, are qualified voters. The mayors of the towns have the same jurisdiction in civil and criminal cases arising within the limits of the town as the United States Commissioners in the Territory.

The provisions of section thirteen of the Curtis act do not apply to or in any manner affect the lands or other property of the Creek Nation or be in force in this nation. The provisions of this section pertain to the leasing of oil, coal, asphalt and other mineral lands.

THE CHICKASAW AND CHOCTAW NATIONS.

The Atoka agreement is a treaty with the Chickasaw and the Choctaw tribes jointly, its provisions affecting both nations alike. Under this agreement all lands of the two tribes are to be divided between their members, each one to receive an equal share, considering the character and fertility of the soil, and the location and value of the lands. There is no fixed standard of value in these nations as there is in the Creek Nation, but the lands will be allotted by the Commission to the Five Civilized Tribes to give each one the same value in land.

All town sites, lands for educational and charitable institutions; ten acres for the Capitol Building of the Choctaw Nation, five acres for the Capitol Building of the Chickasaw Nation; one acre for each school-house outside of towns, court-houses, jails and other public buildings, including some special reservations, are reserved from allotment. All coal and asphalt in or under all the lands of these nations is reserved for the benefit of the members of the tribes. When coal or asphalt is opened up on lands the value of the use of the surface for prospecting or mining, and the damage done to the other land and improvements, must be paid to the owner of the land by the party operating, before commencing work, the damages to be determined under the direction of the Secretary of the Interior.

The agreement provides that the Commission to the Five Civilized Tribes shall make a correct roll of the freedmen and their descendants, entitled to rights or benefits under former treaties, and forty acres of land, including their present improvements, shall be allotted to each, to be selected and used by them until their rights shall be determined as Congress may provide for.

Each member of these nations, including the freedmen, have the right to select their allotments so as to include the improvements each one may own, but the improvements are not taken into consideration in appraising the land.

Allotments for minor children are to be selected by the parents, guardian, or the administrator of an estate, and such allotments cannot be sold during minority; allotments for prisoners, convicts and incompetents, are selected by some person akin to them.

All allotments are non-taxable for twenty-one years, provided the title remains in the original allottee. Each allottee must select a homestead of 160 acres, for which a separate deed is issued and which he cannot dispose of for twenty-one years. This provision also applies to the freedmen for the whole of his allotment. The remainder of the lands allotted to each member may be disposed of by the allottee for a price to be actually paid, and not to include any former indebtedness, one-fourth of the land may be sold in one year, one-fourth in three years and the balance in five years from the date of the deed.

Any contract for sale, or any incumbrance except as stated, is declared void.

An allottee may lease any portion of his land for any period not exceeding five years, but all leases to be effective, must be recorded in the office of the Clerk of the United States Court in the district in which the land is located.

All contests arising between members of the tribes as to selection of allotments are decided by the Commission. The United States puts each allottee in possession of his land and removes all parties who have no right there.

After allotment is made the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation will issue a deed jointly to each allottee, conveying to him all the right, title and interest of the nations in the land transferred by the deed, and the allottee, in accepting the deed, relinquishes his right, title and interest in all other lands of the nations except his interest in such reservations as are excepted from division. No title, however, is given by the deed for any coal or asphalt that may exist under his land.

The Atoka agreement provides for the appointment of a town site commission for each of the nations, consisting of two members, one representing the Government and one the nation. The commissions are authorized to lay out town sites, to be restricted as far as possible to the present limits of existing towns. They

are to prepare proper plats of each town, to be approved by the Secretary of the Interior. The lots in all towns are appraised by the town site commissions, exclusive of any improvements that have been placed on them. The owner of the improvements has the right to buy one residence and one business lot at one-half the appraised value, and all the other lots upon which he may have improvements at sixty-two and one-half per cent of the appraised value, within sixty days from the date of the notice served by the Commissions that such lots are for sale. Within ten days from his purchase he must pay one-fourth of the purchase price and pay the balance in three annual payments. When the last payment is made he receives his deed for the lot.

If the owner of the improvements on any lot fails to purchase and make the first payment, the lot, with the improvements, is sold at auction by the town site commissions and the purchaser pays the owner of the improvements the amount the lot is sold for, less sixty-two and one-half per cent of the appraised value of the lot, which is paid into the United States Treasury in the same manner as other payments for lots are made.

Unimproved lots are not appraised in these nations, but are sold at public auction to the highest bidder at such times, after advertising, as in the judgment of the town site commissions seems to be for the best interest of the nations and the good of the towns. The commissions have the right to reject all bids which they consider below the value of the lots. Payments are made in the same manner and on the same terms as for improved lots.

Failure for sixty days to make any payment causes a forfeiture of all payments that may have been made, and all right under the contract, but any purchaser has the privilege of paying the entire amount any time before it is due.

No taxes can be assessed by any town against any unsold lot, and no tax assessed against a lot that has been sold becomes a lien upon the lot until the purchase price has been fully paid.

The money paid into the Treasury from the sale of town lots is for the benefit of the members of each nation.

Towns have the right to purchase land for cemetery purposes, not to exceed five acres, at the price of ten

dollars per acre, and divide such land into suitable burial lots and dispose of such lots, using the proceeds for the improvement of the cemetery.

The United States Government bears all expense of surveying and platting lands for town sites, for appraising and allotting of lands, or for appraising and disposing of town lots.

Town lots upon which churches and parsonages are now built, not to exceed fifty by one hundred feet for each church or parsonage, are exempted from appraisement and sale so long as they are used for such purposes. If they cease to be so used the lots revert to the tribes, to be disposed of as other town lots are.

The agreement provides that all coal and asphalt in the Choctaw and Chickasaw Nations be the common property of the members of the two nations, not including the freedmen, each member having an undivided interest in the whole. Such an amount of the revenue derived from coal and asphalt as may be necessary is used for the education of the Indian children of the nations.

All coal and asphalt mines are under the supervision of two trustees, one a Choctaw and one a Chickasaw, who give bond, and perform their duties under rules prescribed by the Secretary of the Interior, and to whom their reports are made, and all their acts are subject to his approval.

All leases on coal, asphalt or other mineral, as the case may be, cover the coal, asphalt, or mineral, in or under 960 acres of land, in a body as nearly square as may be, and run for thirty years. Royalty on coal is placed at fifteen cents per ton and sixty cents per ton on asphalt, but these royalties may be reduced or advanced by the Secretary of the Interior at his discretion.

All lessees on each coal or asphalt claim shall make an advance payment of one hundred dollars per annum for the first and second years, two hundred dollars per annum for the third and fourth years, and five hundred dollars for each succeeding year. These payments to be deducted from royalty payments when the latter exceed the advance payments named. In case of default for sixty days, to make these advance payments the lease becomes null and void and any payments made are forfeited to the nations.

In towns where coal is now being mined, and coal leases are operated, there is reserved from appraisement

and sale all lots on which are houses of miners actually engaged in mining, and in addition thereto a sufficient amount of land to furnish homes for the men actually engaged in operating the mines under the lessees, as well as sufficient ground for warehouses, offices, buildings and machinery. When such land and lots cease to be used for that purpose they are to be disposed of for the benefit of the tribes.

The agreement provides that no act, ordinance or resolution of the council of either nation, in any manner affecting the land of the tribes, or of the individuals, after allotment, or the moneys or property of the tribe, or citizens (except for the appropriations for regular expenses of the governments of the tribes), or the rights of any person to employ any kind of labor, shall have any validity until such acts, ordinances or resolutions have been approved by the President of the United States.

The tribal governments will cease to exist on March 4, 1906.

It is provided by the agreement that when the tribal governments cease to exist the Choctaws and Chickasaws shall become possessed of all the rights and privileges of citizens of the United States.

The Choctaw orphan lands in the State of Mississippi are to be taken by the United States at \$1.25 per acre, and the amount placed to the credit of the Choctaw orphan fund in the United States Treasury.

THE SEMINOLE NATION.

The treaty with the Seminole tribe provides that all the lands belonging to the Seminole Indians shall be divided into three classes, the first class to be appraised at \$5.00 per acre, the second class at \$2.50 per acre and the third class at \$1.25 per acre. This is the only treaty that provides for a stipulated valuation of lands. These lands are to be divided among the members of the tribe so that each shall have an equal share in value, the location and fertility of soil considered. Each member has the right to select his allotment so as to include the improvements owned by him. After allotment each member has the sole right of occupancy of the land allotted to him during the existence of the tribal government and until the members of the tribe have become citizens of the United States.

Allotments in the nation, as in all the others, are made by the Commission to the Five Civilized Tribes, who issue a certificate describing the land allotted.

Contracts for sale, or any incumbrance of any kind prior to the date of the deed to the allotment are absolutely void, but any allottee may lease any portion or all of his allotment for any time not exceeding six years. The lease must be approved by the Principal Chief and a copy filed in the office of the Clerk of the United States Court at Wewoka, the capital of the Seminole Nation. Leases of coal, mineral, oil or gas lands must be made with the tribal government with the consent of the allottee and to be approved by the Secretary of the Interior. When any coal, oil, gas or mineral is discovered upon the allotment of any member of the tribe, and it is operated to produce royalty, one-half of the royalty is paid to the allottee and one-half is paid into the treasury of the tribe until the tribal government ceases to exist, the latter to be used for equalizing allotments. Any funds of the tribe after extinguishment of the tribal government can be used to equalize allotments until each allotment is made equal in value. Five hundred thousand dollars of the funds of the Seminole Nation held by

the United States Government is set aside as a permanent school fund, the proceeds of which at five per cent interest are to be used for the education of the children of the tribe until the tribal government ceases, after which it is to be applied by the Secretary of the Interior to the maintenance of the Mekasuky and Emahaka academies and the district schools of the Seminole Nation. There is reserved from allotment 320 acres of land for each of these academies and 80 acres for each of the eight school districts in the nation.

There is reserved from allotment one-half acre for each church in the nation, now existing or hereafter established, so long as it is used for church purposes, but when it ceases to be used for such purposes it reverts to the nation.

One acre in each township is excepted from allotment which may be purchased by the United States for the purpose of establishing schools for the education of children of non-members of the tribe.

At the close of tribal government the principal chief is to execute and deliver to each allottee a deed for his allotment, conveying all the right, title and interest of the nation and its members in the land embraced in the deed, and the approval of the Secretary of the Interior releases all right, title and interest of the United States Government, while the acceptance of the deed by the allottee relinquishes all the right, title and interest in all other lands of the tribe except such as may have been excepted from allotment, to be held in common for other purposes.

Each allottee must designate 40 acres of his allotment as a homestead, which is non-taxable and inalienable in perpetuity.

After equalizing the value of all allotments, and reserving the \$500,000 school fund, all moneys belonging to the Seminole Nation are to be divided per capita, in three payments, among the members of the tribe, the first payment to be made after tribal government ceases, and the others one and two years later.

Regular terms of the United States court are held at Wewoka.

THE CHEROKEE NATION.

The Cherokee Nation, having no new treaty or agreement with the United States, comes under the provisions of the Curtis act (June 28, 1898), and where the treaty stipulations of the other nations do not conflict with the Curtis act it applies to them as well, but the treaties take precedence over this act.

Under the Curtis act the surface of the lands of the Cherokee Nation, through the Commission to the Five Civilized Tribes, is to be allotted to the exclusive use and occupancy of the members of the tribe, giving to each his fair and equal share thereof, considering the fertility of the soil, location, and value of the same; but all oil, coal, asphalt and mineral deposits in the lands are reserved to the tribe and allotments will not carry title to the deposits named. All town sites are reserved from allotment. Reservations are also made for lands occupied by churches, schools, parsonages, charitable institutions and other public buildings, for their necessary use, not to exceed more than one acre for each church or five acres for each school now established or to be established. Land for cemetery purposes is also reserved.

An allottee may select lands upon which his improvements are located. All allotted lands are non-transferable and non-taxable until full title is acquired, and an obligation contracted prior to acquiring title will not hold as against an allotment.

All incorporated towns may secure the lands necessary for public improvements, regardless of tribal lines, by means of condemnation, or otherwise, and when condemnation proceedings are necessary they may be brought under sections 907 to 912, inclusive, of Mansfield's Digest of the statutes of Arkansas.

Leases covering oil, coal, asphalt and other minerals may be made by the Secretary of the Interior, under such rules and regulations as he may direct, for any time not exceeding fifteen years for an original lease or for renewal thereof. No such lease can cover the mineral in more than 640 acres of land, conforming as nearly as possible to regular surveys. Lessees must pay in

advance on each lease \$100 per annum for the first and second years; \$200 per annum for the third and fourth years, and \$500 per annum for each succeeding year, but these payments are deducted from the royalties when they exceed, in any year, the amounts named. These advance payments must be made whether the mines are developd or not. Default of payment for sixty days cancels the lease and forfeits the advance payments. Damages to the surface of the land by reason of operating a lease are ascertained under direction of the Secretary of the Interior and must be paid to the allotee or owner of the land before operations commence. The rate of royalty to be paid by lessees is fixed by the Secretary of the Interior. The inhabitants in any town in the Cherokee Nation may petition the United States court for incorporation and become incorporated as is provided in chapter 29 of Mansfield's Digest of the statutes of Arkansas, the clerk of the court recording all papers and performing all the acts required of the county recorder or the Secretary of State, as provided in Mansfield's Digest. The town government when so organized possesses all the powers and exercises all the rights of similar municipalities in the State of Arkansas. All male inhabitants over twenty-one years old, who are citizens of the United States, or of the tribe, who have resided in the town for six months, are qualified voters. Mayors exercise the same jurisdiction in civil or criminal cases, arising within the limits of the town, as United States Commissioners in the Indian Territory. The Marshal, or other executive officer, has the same jurisdiction as constables have under the laws in force in the Territory.

City or town governments cannot tax any lands in the city or town prior to the acquiring of title from the tribe, but all other property, including the improvements on town lots, together with all occupations and privileges, are subject to taxation, and for support of the town, schools and other public purposes the councils may levy an annual tax upon such property not to exceed two per centum of the assessed value. The councils may establish and maintain free schools under the provisions of sections 6258 to 6276, inclusive, of Mansfield's Digest of the statutes of Arkansas, and may exercise the powers conferred upon special school districts in the cities and towns of that State.

The owners, and holders of leases, or improvements in any town are privileged to transfer the same.

Town site commissions, consisting of one person representing the government, one the Cherokee Nation and one the town, are provided for, who shall cause to be surveyed, and laid out, town sites for all towns that had a population of two hundred people at the time of the passage of the Curtis act. Provision is made for streets, alleys, public grounds, including parks and cemeteries, giving each town such territory as may be required for its present needs and reasonable prospective growth.

All town lots are to be appraised at their actual value, excluding improvements, for which a separate appraisement is made, such appraisements to be approved by the Secretary of the Interior, and in case of disagreement as to valuation the Secretary fixes it.

The owner of the improvement on any town lot may purchase such lot at one-half its appraised value, paying ten per cent of the purchase price within two months, fifteen per cent more within six months, and the remainder in three annual payments after the date of notice of appraisement. If the owner of the improvements on a lot fails to make payments as provided the lot may be sold as unimproved lots are sold, and the purchaser may, by condemnation proceedings, have the improvements appraised, and deposit the appraised amount with the clerk of the court. The owner of the improvements must accept the deposit in full payment or remove his improvements within a time to be fixed by the court.

All unimproved lots are appraised and sold at public auction to the highest bidder for not less than their appraised value, unless otherwise ordered by the Secretary of the Interior. Payment is made in the same manner as for improved lots.

The inhabitants of any town may, within one year after the survey is made, purchase the land for parks, cemeteries and other public grounds, laid out by the town site commission, at the price of ten dollars per acre, paying for the same on the same terms as apply to payment for town lots. The tribe must authorize some person to execute and deliver to the purchaser a deed conveying to him the title to such lots or lands. All money received from the sale of town lots and lands

is paid into the United States Treasury and paid out per capita to the members of the tribe after title to the town property has been perfected. In town sites where coal is being mined under leases, there is reserved from appraisement and sale all lots occupied by miners actually engaged in mining, but only while they are so engaged. There is also reserved such an amount of land as is needed for houses for the employees actually working the mines for the lessees, and the amount necessary for buildings and machinery for mining purposes. All these reserved lands, however, revert to the tribe when they cease to be used for the purposes named.

Members of the tribe may dispose of any timber on their allotments.

No member of the tribe is permitted to enclose or hold possession of more land than would be the share to be allotted to himself, wife and minor children. The United States District Attorney is required to see that this provision is enforced, the penalty being a fine of one hundred dollars. Each day the excessive land is held is considered a separate offense.

The Commission to the Five Civilized Tribes is directed to make a roll of citizenship of the members of the Cherokee Tribe using the roll of 1880 (excluding freedmen) as a basis, and enrolling all persons now living who are found on this roll, and all descendants born since the date of the roll, to those found on the roll; and all persons who have been enrolled by the tribe, who have made permanent settlements in the Cherokee Nation, whose parents, by reason of their Cherokee blood, have been admitted to citizenship, and who were minors when their parents were so admitted. This commission is authorized to investigate the right of all other persons claiming citizenship, including inter-married white persons, enrolling such as may be entitled to citizenship under the Cherokee laws. The commission is directed also to make a roll of the Cherokee freedmen in compliance with a decree of the Court of Claims.

No person can be enrolled who has not removed to and settled in the Cherokee Nation.

Before any allotment of lands is made in the Cherokee Nation there must be reserved by the commission 157,600 acres of land, purchased by the Delaware Indians from the Cherokee Nation, to be subject to the judicial determination of the rights of the Delawares

and their descendants, under the agreement between the Delawares and the Cherokees. Suit is now pending for the adjudication of the matter. The Delawares claim that they participate in all the lands, rights, privileges and immunities of the native Cherokees in all respects, while the Cherokees contend that they have no right to any interest in the nation, except the 157,600 acres of land sold to them.

All tribal courts in the Cherokee Nation have been abolished.

Cities and Towns of the Indian Territory.

We give the descriptions following of the principal towns of the Indian Territory, showing their condition, their prospects and advantages, and have no hesitation in saying that in no State in the Union can there be found a better class of towns than the Indian Territory possesses. They are all wide awake and energetic, and every one is bound to grow and develop in the coming few years, establishing themselves firmly and laying the foundations for the future cities of the territory.

CHECOTAH, CREEK NATION.

There are many good towns in the Indian Territory, but considering the population there is not one that begins to do the volume of business that is transacted annually in Checotah, the subject of this short sketch.

Checotah is a town of about 1,500 inhabitants, situated on the main line of the M., K. & T. R. R, just half way between Denison, Tex., and Parsons, Kan., and is one of the greatest shipping points between those two towns. The town was ushered into existence something like thirteen years ago, and has been rated as a place with a future since that time. It is located on a high rolling prairie, surrounded by some of as good land as can be found anywhere, but not until a few years ago were its great agricultural resources developed. Up to that time the whole country was one large cattle ranch, and thousands of cattle grazed within a stone's throw

of what is now the business section. But conditions have changed now. "The man with the hoe" came in, turned old Mother Earth over and to-day Checotah is not only classed the best agricultural town in the Indian Territory, but is in reality, as the farmers realize more for their produce here than any other market in this country. While the influx to this country has been very great during the past few years there are thousands of acres of undeveloped land tributary to the town that only awaits the coming of the farmer who wants to become independent in a very short time. While cotton is the principal staple raised here now, there is not a finer corn country in the universe than in this immediate vicinity, and thousands of bushels are marketed here every fall. The hay business around Checotah is also a big item, there being more than \$20,000 worth of it sold and shipped from here this season. Another big industry here is the raising of hogs, and now the more progressive farmers are turning their attention to the breeding of fine stock of all kinds. The country around here abounds in minerals of all kinds and coal, gas and oil are known to be here in paying quantities, and as soon as conditions change they will be developed. For the farmer with brains, muscle and energy (and a little money would not be a drawback to him), who is seeking a home, the Indian Territory offers unlimited advantages, and the garden spot of the whole country is around Checotah, "The Queen City of the Prairies."

There are in Checotah to-day some of the most extensive business concerns to be found in the Five Tribes, and one concern here, the Spaulding-Hutchinson Mercantile Company, incorporated under the laws of Missouri, with a capital stock of \$200,000, can truthfully lay claim to being the largest retail concern in the entire Southwest, their annual business amounting to more than a quarter of a million dollars. In addition to their mercantile business they have also secured leases on thousands of acres of the finest farming lands in the Creek Nation, and farmers from all parts of the country are being located on them by this firm. They are extensive cotton buyers and have two of the finest gin plants in operation in Checotah to be found anywhere in the South. There are two other gins in Checotah, and the cotton receipts amount to from 10,000 to 15,000 bales a season—the Spaulding-Hutchinson Mercantile Com-

pany handling considerably more than half of it. In addition to this firm and its various enterprises, Checotah has seven other big general mercantile establishments, three exclusive hardware stores, four up-to-date drug stores, two jewelry stores, a bank, with \$50,000 capital, a telephone exchange, with long-distance connections, two pushing real estate firms, two first-class hotels, two millinery stores, one racket store, three extensive lumber yards, one meat market, four or five restaurants, two bakeries, two confectionery stores, one steam laundry, two barber shops, one photographer, one feed stable and wagon yard, one livery stable, one grist mill, six physicians, two dentists, one attorney, two insurance agencies, three blacksmith shops, a good city administration and a class of inhabitants that are as refined, cultured and educated as can be found anywhere. The town also has good schools, is well supplied with churches, the Methodists, Christians, Episcopal and Baptists being represented and have handsome houses of worship. The secret societies are also well represented; the following orders have an organization here: Masons, Odd Fellows, K. of P.'s, Eastern Star, Rebekahs, Modern Woodmen, Woodmen of the World and some others. The town has some of the finest and most modern business houses in the Territory and the stocks carried by them would be a credit to a town several times as large as Checotah. Especially is this true of the Spaulding-Hutchinson Mercantile Company's establishment. Another enterprise that the people of Checotah take a great pride in is their newspaper—the Checotah Enquirer—which has aided much in the development of the town and surrounding country. The Enquirer is edited by K. W. Whitmore and is acknowledged to be one of the leading publications in the Indian Territory. It is not only well edited and always filled with news of importance to those who contemplate moving to this country, but Mr. Whitmore always keeps it above the average in point of beauty and typographical appearance.

OKMULGEE, CREEK NATION.

Upon the land of that historic and romantic tribe of Indians—the Muscogees or Creeks—are now to be found many modern towns of goodly proportions, though in point of years they are only infants. There happen to be towns in this reservation greater in numbers than Okmulgee, but surely there is no spot within the confines of the Creek Nation around which cluster such sacred memories of this once powerful tribe of Indians. Okmulgee has long been the vantage ground to this people, for it was here that the kings and warriors from every quarter, as representatives of their people, met in council for legislative purposes, and the laws passed by this body bear evidence of their sense of justice. This town has also been the scene of some war. It is the home of old Isparhecher, long the leader of the Loyal Party, and the conspicuous figure in the Isparhecher war and who to-day is perhaps the greatest living Creek Indian. But the sovereignty of the tribe has passed into history, and their land is being gradually settled upon by their pale-faced brethren. Their tribal relations are dissolved, their laws no longer regulate, they are United States citizens, and they are protected by and are amenable to United States laws.

Okmulgee is no longer a village of Indian huts and Negro shanties, but it is a hustling, thriving business town of 1,500 people. It is located in the heart and center of the Creek Nation, and is destined to be the best town in the nation. In the matter of location and natural resources it is undoubtedly superior to all others.

On the east and north and south is a fertile prairie and upon which now grow and fatten great herds of cattle. Here and there at long intervals will be seen farms, upon which grow as good corn and cotton and fruit of many varieties as is grown anywhere else in the Mississippi Valley. On the west of the town are lovely hills and stately forests of timber, and useful timber for sawing into lumber for fencing purposes and for fuel. These hills and forests are yet the home of countless game, of flocks of wild turkey and many deer.

Until less than one year ago this portion of the Creek country had not the advantages of a railroad—an imperative necessity to a prosperous development of a country—which, with the heretofore existing laws with reference to Indian lands, retarded the growth and improvement of this splendid country tributary to Okmulgee, but as now may be seen by the map Okmulgee is situated on an important branch of the 'Frisco and with the undoubted assurance of another road crossing at this point from east to west thus making her railroad facilities very favorable indeed. The growth of this town in the last year has been almost phenomenal and as yet has only begun. Many of her stores in various lines would be a credit to a city much more pretentious. Her business men backed by capital and good judgment and thoroughly imbued with the provincial Western spirit of progress and development will spare no effort or money to meet the requirements of her people.

Okmulgee is not, as many might suppose of a town upon the "border," given entirely to money-making, but she has already organized free schools for the education of her children and has not been forgetful of her people in the matter of churches. To be convinced of the great future of this town and its surrounding country one has but to go on the ground and see for himself. Of the wonderful fertility of the land for farming purposes of most every kind and character there can be no doubt. Much of the country is underlaid with coal in abundance. Building stone of the finest quality galore, indications of oil and natural gas and other valuable minerals are very encouraging. All in all, Okmulgee is surrounded by a magnificent expanse of wild and largely undeveloped country, but it will be a matter of a very short time when it will present quite a different appearance. The great cattle pastures of wild grass must yield to the industrious farmer and be made to bring forth products tenfold more valuable; the bowels of the earth, through the labor, skill and industry of man, must be made to give up her treasures, rich and rare; the long-horned, slender, Texas cattle will be replaced by the higher grades of short-horn and Hereford; the razor-back Arkansas, mast grown hog, will be supplanted by the pure bred stock, and the negro shanty and Indian hut will give way to the neat cottage. Then will this coun-

try prosper and then will our town grow to be a city and be a home fit for a king.

How can the man of business, the capitalist, the laborer, the ingenious mechanic, the professional man make a mistake when he casts his lot amid such surroundings and possibilities? When one knows of the richness of the Indian Territory and Oklahoma and knows further that the Creek Nation is superior to anything in the two territories and that that part of the Creek Nation tributary to Okmulgee is the very best and the scope is so enormous and the resources so many and varied and all these, together with the fact that Okmulgee is designated to be, and beyond the peradventure of a doubt, will be a county seat, can he conclude other than that this town has in store a great future? It is no idle dream of a boomer, based upon that which never was. The man who invests here his money in property, or embarks in business, or pursues any vocation whatever, need not grope his way as if treading on uncertain ground, but on the contrary may proceed with the assurance inspired by conditions and resources that cannot fail him.

EUFAULA, CREEK NATION.

From time immemorial, or in fact, so long that the memory of man runneth not to the contrary, the white man has had a hankering after Indian lands, and now that the United States by treaty with the Creek Nation has made it possible for a white man to own his own home and farm upon Creek soil, the home-seeker turns his wistful eye upon the fairest domain of all Indian lands, the Creek Nation, the garden spot of the beautiful the five nations.

The town of Eufaula, situated on the Missouri, Kansas and Texas Railway, is a modern, up-to-date town of 1,500 inhabitants, and located in the very heart of the best agricultural section of the Creek Nation, beautifully situated upon an elevated plateau overlooking the valleys of the two Canadian Rivers, it sees the two great rivers join their waters five miles to the eastward; the South Canadian, four miles to the south, and the North Canadian, two miles to the north, gradually diverging from each other as they are traced westward toward their head waters.

Between these two rivers is a body of agricultural land from eight to twenty-five miles wide from north to south, by forty miles long from east to west, that is tributary to Eufaula and known as Eufaula District.

The greater part of this section of country is exceedingly rich, portions of it producing from a bale to a bale and one-half of cotton to the acre and from thirty to eighty bushels of corn; the greater portion of the soil is black and sandy, although there is a great diversity of soil, making it possible to grow any crop known to the north temperate zone.

Fruit of all varieties of finest qualities is grown with splendid success, and in the near future this will be known as a fruit shipping point.

The prairie lands lying between the two rivers are covered with a heavy growth of grass, making fine pastureage for stock and when put into a state of cultivation produce as well as the bottom lands, and both wheat and oats can be grown successfully thereon, as well as corn and other crops.

Eufaula, backed by such a country, together with her own natural resources, has a future as a city, that is rapidly maturing; the greatest abundance of building stone of a superior quality lies right at its very door; wells of pure, soft water in inexhaustible supply may be had at a depth of from twelve to thirty feet. A good quality of brick clay is to be found here and the brick turned out from the yard here is as good brick as is found anywhere.

With its high elevation, it is given a natural drainage, so that no stagnant water accumulates in its borders, and makes it one of the most healthful places in the Territory.

Its school and church edifices are the proud boast of its citizens, and are an attraction that appeal most strongly to the home-seeker, and have already been the means of bringing many desirable citizens to Eufaula.

It is one of the few towns of the Territory that has free schools, having good, substantial stone free school buildings both for the white and colored children.

Eufaula is also known by the traveling public as being the best and most substantially built town of its size in the Territory, having two of the largest mercantile establishments in either Indian Territory or Oklahoma, a fifty-thousand-dollar oil mill, four gins, a three-story press-brick hotel, two national banks, four of the largest and best equipped drug stores, a planing mill and many other industries and lines of business, all in a prosperous and growing condition.

Eufaula is strictly homegrown, no foreign capital or meteoric flashes or booms have figured in its up-building. A slow but sure and steady growth has marked its progress, and placed it upon a safe and sure foundation; its wealth has been drawn from its native resources, and the country that has furnished it its prosperity in the past is but in its infancy so far as development is concerned, and when fully developed will make and support a city of the first class.

Many towns have built far in advance of the surrounding country; this brings about business stagnation. The country around Eufaula has kept apace with the business progress of the town, which gives a healthy tone and condition to all enterprises, and to the end that this condition may continue, the people of Eufaula extend a welcoming hand to every honest, industrious farm-

er and pledge to him their earnest co-operation in securing him plenty of good land adjoining Eufaula, there being only about one-twentieth of the land in cultivation, and all or the greater portion being rich and subject to cultivation. No better inducement can be offered to the farming classes than right here around Eufaula.

The business men of Eufaula are all young men, full of thrift and industry and a business ability that places them in the front rank of the business men of the Territory; they all came to Eufaula without capital and by steady licks, aided by the excellent opportunities offered by the rich agricultural country, have built up magnificent businesses and built and furnished and stocked some of the best stores in the Territory.

"What man has done, man can do." Come to Eufaula and join hands with us and assist with your energy and capital in making Eufaula the City of the Indian Territory.

WAGONER, CREEK NATION.

The Wagoner Commercial Club, an organization composed of the leading business and professional men of the town of Wagoner, Ind. Ter., beg to call the attention of the reader to just a few facts briefly stated concerning one of the best towns in the Indian Territory.

Wagoner, the youngest town of its size in the country, was the first to be incorporated as a town with a full quota of city officers, a police system, and was the first town in the Indian Territory to organize and maintain by taxation a complete system of free public schools, which schools would be a credit to many a town in our neighboring States of twice our size.

Wagoner has a population of over three thousand live, progressive people, who are all engaged in some of the various pursuits of life, and whatever is done for Wagoner is done by and for the people as a whole, and not by any one or any set of individuals. She has received no outside assistance in the way of capital or patronage. What she is has been made by Wagoner people wholly.

Wagoner is so located geographically, at the junction of two of the foremost railroads in the Territory, the M., K. & T. R. R. and the Mo. Pac. R. R., as to practically insure the location here of the largest jobbing and manufacturing establishments in this section. There is not a town in the whole Territory that enjoys the excellent railroad facilities that Wagoner is provided with.

Two large wholesale grocery concerns are already located here, three of the largest packing houses of the country make this a distributing point for the northern part of the Territory. All lines of mercantile business are represented. The retail business in all lines is very large, considering the size of the town and the fact that at the present time not one acre in each one hundred of the finest agricultural land the sun ever shone on surrounding this town is in cultivation. Being easy of access and a ready market for crops of all kinds the town's outside trade is drawn from an unusual distance in every direction.

Two banks, the First National and the Bank of Wagoner, provide banking facilities equal to those of towns ten times the size of this.

The town is lighted by electricity and within a very few months will be watered by pure water from the famous Grand River, the head waters of which rise in the mountains of Southwest Missouri.

A local telephone system, with nearly two hundred subscribers, is in operation, and through the medium of the long-distance telephone Wagoner is in closest touch with the outside world.

In addition to thirteen general merchandise concerns, ten grocery stores, four exclusive dry goods stores, one jewelry store, five drug stores, four hardware stores and a hundred or more various enterprises, the town has a large brick factory, a first-class ice plant, three cotton gins, one of the largest flour mills in the Territory, steam laundry, cigar factories, six churches, various benevolent organizations, the Central College, the largest hotel in the Indian Territory.

Business and residence property is as low as it ever will be in Wagoner. It is low enough in price for purposes of speculation, investment and practical use. We know it because all rental property is netting from fifteen per cent up, more than a good rate of interest on the money invested. It don't cost much to carry property in Wagoner, and the conditions are most favorable for a substantial and certain advance. Now is the time to get in on the ground floor. There are no vacant store buildings or residences except as new ones are built, and several of both classes are in course of construction at the present time. The people are doing their best to supply the demand.

Wagoner is the coming big city of the Indian Territory beyond a shadow of a doubt. Its superior location, its natural advantages over all, the wonderful strides in the development of the surrounding country, in business, manufactures, and railroad facilities, which are inevitable, together with its educational and social advantages, betoken its future metropolitan proportions.

For any information concerning any points not covered in this article address the Commercial Club, and all communications will receive prompt reply.

HOLDENVILLE, CREEK NATION.

Holdenville is situated on a beautiful elevation of rolling prairie that forms the divide of the North and South Canadian River in the southwestern part of the Creek Nation, at the junction of the Choctaw, Oklahoma and Gulf Railroad and the Frisco system. The drainage is almost perfect, nothing to create malaria. The city was incorporated under the Arkansas laws in 1899 with T. J. Red as first Mayor. Since which time law has prevailed. The town is remarkably peaceable, with but very little need of police regulation.

On July 15, 1896, the officials of the Choctaw Railroad surveyed and platted a half mile square for the town of Holdenville on the land belonging to John A. Jacobs, a very progressive and intelligent Creek Indian, who has been an important factor in building up the city. It is forty-four miles from South McAlester on the east and seventy miles from Oklahoma City on the west. Holdenville is a growing city. The population has more than doubled within the last year, which is estimated at about two thousand souls. It has unusually good railroad transportation facilities, and it is brought into close communication with all points north, east, south and west. Being situated midway between the North and South, it is as free from the blizzards of the one as the sultry oppressiveness of the other. The town is blessed with an abundant supply of good, cool water, a genial, balmy, salubrious climate worthy of an Italian sky.

In point of commercial importance, Holdenville ranks second to none. We have two wholesale grocery stores, telephone system connecting us with the great cities of the East, ice factory, broom factory, three splendid cotton gins, two steam laundries and many other minor factories. A cotton mill is one of the possibilities in the near future. Our business houses are mostly of cut stone. The First National Bank has recently completed a building of cut stone that is a marvel of beauty and cost ten thousand dollars, and while incorporated with a capital of fifty thousand dollars is the father of four other national banks. It has almost unlimited capital, and its deposits are on an average about \$175,000.

Another solid and substantial banking institution is the National Bank of Holdenville, owned by men and women of large capital and public enterprise. This bank is second to none in importance and financial backing. Its deposits are heavy.

The city has a good system of public schools and a business college well patronized. There are three churches, M. E. Church South, M. E. Church and Baptist. The people are industrious, sociable and law-abiding. Among the secret organizations are the Masonic, I. O. O. F., K. of P., A. O. U. W., Modern Woodmen, Woodmen of the World, O. E. S. and some others, all of which have large and flourishing memberships.

Holdenville is located in the heart of a vast coal field, also gas and oil fields. It has fine building material used as fast as men and money can put it into structures, some being three stories, one of which is the Hotel Scott, built and furnished at a cost of about thirty thousand dollars. It is most conveniently arranged, the rooms being large and airy and the tables loaded with everything the market will afford and managed by experienced hotel people.

Among our substantial business firms may be mentioned the firm of Walker & Moore, who represent R. G. Dun & Co., the Frisco system, City Attorneys and are the legal advisers of all the large cattle firms in this section. The Lowe, Jacobs & Lowe Real Estate, Loan and Insurance Co. is composed of reliable and trustworthy gentlemen, who are always anxious to answer all inquiries about the country. They have many valuable farms for sale and lease; also city property for sale. The Holdenville Real Estate and Loan Co., composed of Dixon and McConnell, are reliable and industrious. They represent several insurance companies and are doing a large loaning business. They are agents for many farms on which valuable leases can be had. Mr. D. W. Kelker is one of the first settlers in the city. In fact he was the first to build houses in the city and has a great deal of real estate which he is preparing to put on the market. He is reliable and takes pleasure in answering correspondents.

The farm lands surrounding Holdenville are very fertile, producing corn, cotton, wheat, oats, Irish and sweet potatoes, and all the fruits grown in the middle the southern climates, including apples, peaches, melons

and all the small fruits. The finest peaches and apples grow here in abundance, and the climate seems specially adapted to their perfect growth and development, and to the entire category of garden vegetables. We are tributary to the North Canadian, South Canadian, Ne-wakee Creek and Little River, the bottoms of which are as fertile as any bottom land in the country. For many years the cattlemen have held full sway over this "garden spot of the United States." Many people have grown immensely wealthy from the use of the grass grown on the soil of the Indian country, but farms are now being opened up in all directions and the cattle barons will gradually give way to the small tiller of the soil. Men of ordinary means, but of sufficient amount to purchase a small farm, build houses and put the land in cultivation are flocking to this country in vast numbers. Holdenville in consequence will be a Mecca for the business man, the mechanic, the lawyer, the doctor, the laboring man and in fact all lines of trade and professions.

TULSA, CREEK NATION.

Tulsa, named in honor of a prominent Creek Indian, is one of the most prosperous and beautiful cities in the Territory, with a population of 2,276 people. Its location is simply ideal, being situated on high, rolling ground overlooking the Arkansas River from the east, beautifully skirted with timber on the river front and well supplied with shade trees. With good soil and good water no more attractive situation could be found on which to build the coming metropolis of the Southwest.

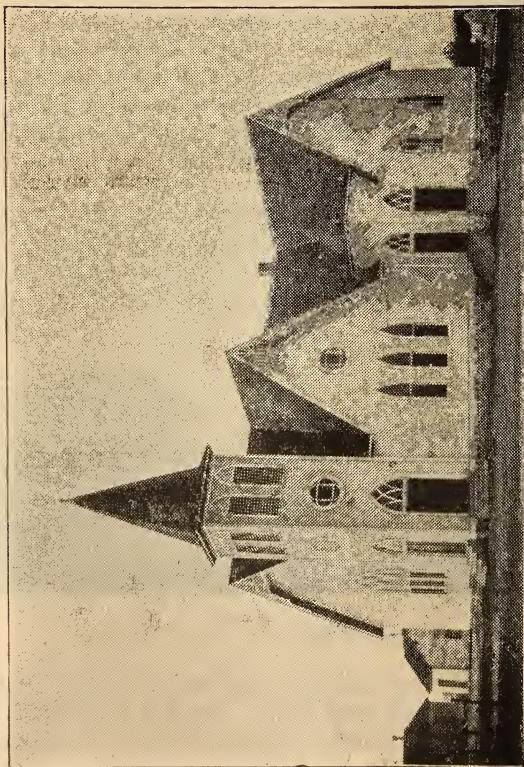
The country surrounding this growing town is in



ST. TERESA INSTITUTE, TULSA, IND. TER.

keeping with the location. There are large, fertile valleys extending up and down the Arkansas River for a distance of from thirty to forty miles, and their richness and adaptability to a variety of crops has earned for them a distinction in the great Arkansas Valley. Reaching out from these rich bottoms is a vast expanse of gently undulating prairie lands, conveniently traversed by small streams, which not only furnish an abundance of stock water, but as well a good drainage for the lands, and for this, as well as many other reasons, the locality is noted for its healthfulness as well as its prosperity.

Tulsa is located sixty-five miles west of Vinita, Ind. Ter., and 117 miles east of Oklahoma City, Okla., on the



TULSA PRESBYTERIAN CHURCH.



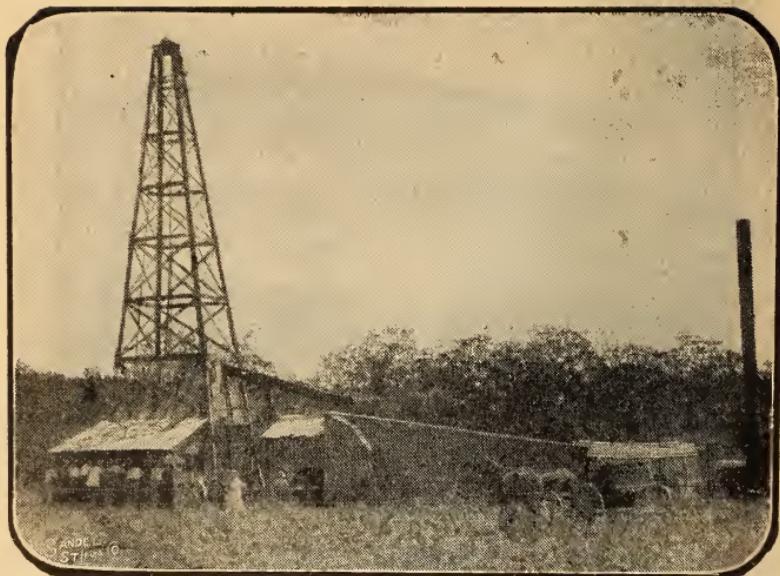
FRED E. TURNER'S BUILDING. TULSA, IND. TER.

St. Louis and San Francisco Railroad, at present her only means of transportation, but the A. T. & S. F. R. R. Co. now has a line completed from the north to within twelve miles of Tulsa, and this line will, without doubt, be built into the city in the near future.

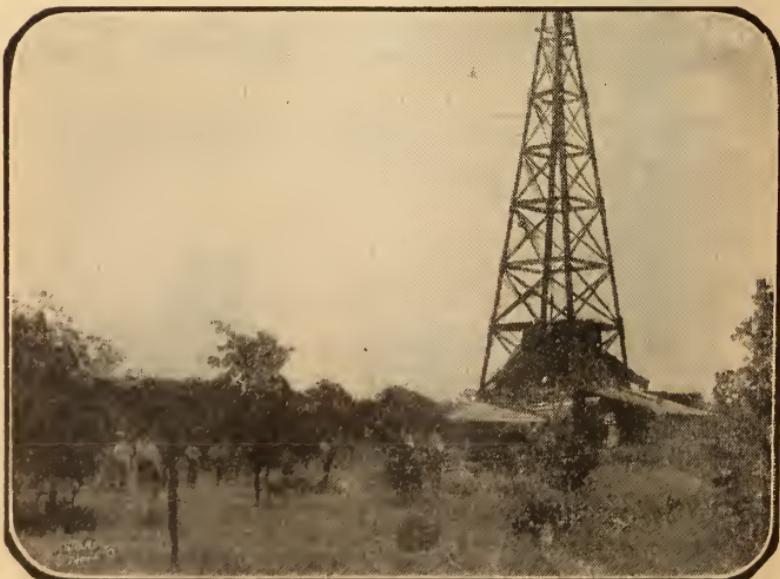
Tulsa includes among her articles of commerce cattle, hogs, hay, cotton, wheat, oats, corn and potatoes, and the size of her shipments is revealed when it is known that the sum of \$83,966 was paid to the St. L. & S. F. R. R. Co. for freights forwarded last year, \$123,999 for freights received and nearly \$10,000 for passenger



REA-READ MILL AND ELEVATOR CO., TULSA, IND. TER.



TULSA OIL AND GAS CO'S WORKS, TULSA, IND. TER.

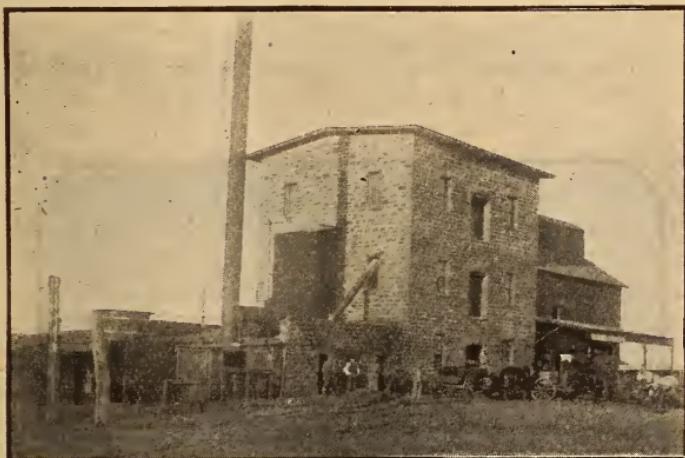


LOGEE OIL AND GAS WORKS, TULSA, IND. TER.

transportation, the gross receipts of the company for the year being \$228,000.

The city has two large flouring mills, the plant of the Tulsa Milling Company, having a capacity of one hundred barrels per day, and that of the Rea-Read Mill and Elevator Co., being two hundred barrels per day. Both these companies have large store elevators for grain, and in addition the Brinso-Judd Grain Company has a complete and finely equipped elevator situated here.

Tulsa's banking facilities are looked after by the First National Bank, capital \$50,000, and the City National Bank, capital \$25,000. A first-class opera-house,

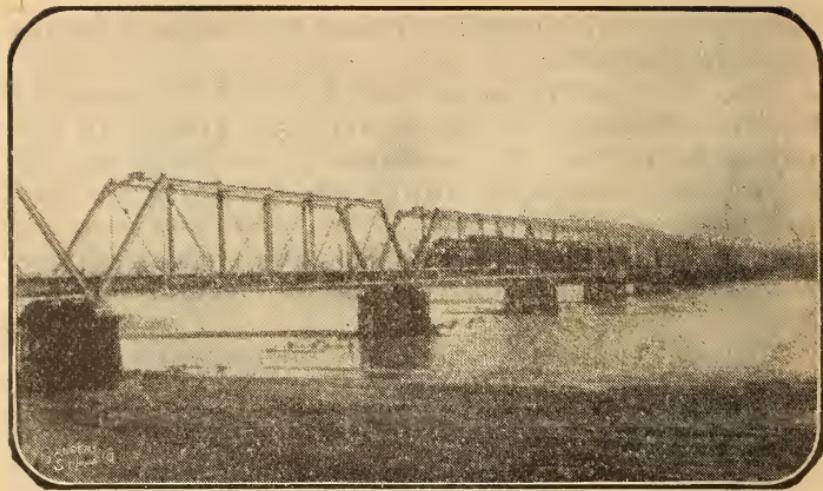


TULSA MILLING CO., TULSA, IND. TER.

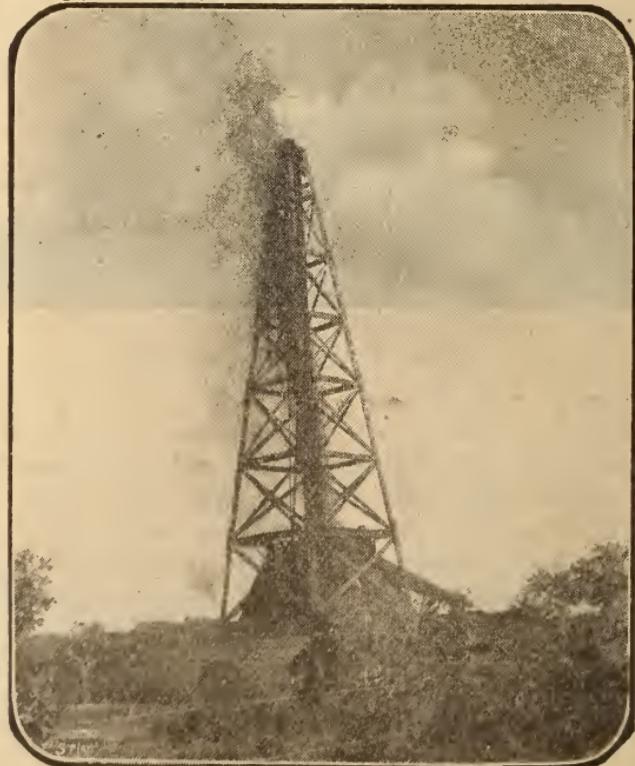
with a seating capacity of five hundred, furnishes a variety of amusements during the theatrical season. Three hotels, two brick plants, a new ice plant, the Indianola Telephone Company's new and complete system, a new and modern cotton gin and numerous large mercantile establishments all lend an air of prosperity to the city.

Tulsa has seven churches and two newspapers, and all the principal secret societies are well represented, and a good system of graded public schools has placed her in the lead in respect to educational facilities. St. Teresa Institute, a Catholic institution, also has a large patronage.

THE INDIAN TERRITORY.



UNION BRIDGE CO'S BRIDGE
ACROSS ARKANSAS RIVER BETWEEN TULSA AND RED FORK



RED FORK GUSHER SHOOTING, JUNE 29, 1901.

With well-graded streets, conveniently situated as to fuel and water supplies, with an abundance of fine building stone in close proximity, unexcelled in agricultural surroundings, with an energetic class of merchants, an up-to-date commercial club, quick to see business opportunities, Tulsa's future is exceedingly bright. But her advantages do not cease here. Right at her door and underlying all of the fine lands between the Arkansas River on the west and the Verdigris River on the east, are some of the richest coal deposits to be found in the Indian Territory. Natural gas of an unusually heavy pressure has been discovered sufficient for all purposes, and is only awaiting development to become one of the richest resources of the city. A flowing well of oil has just been struck about three miles west of the city, the quality of which, for illuminating purposes, is pronounced by experts to be equal to the best eastern petroleums.

At the above point, Red Fork, a suburb of Tulsa, and at present the real oil center, is a scene of constant activity. With two producing oil wells, natural gas, heavy coal beds from thirty to sixty inches in thickness, fire-clays, brick-clays and shales, plenty of timber and water, surrounded by a fine agricultural country, the place bids fair for the future. Two drills are now actively at work prospecting and the following companies are on the ground for development, the Red Fork Pressed and Vitrified Brick Company, the Red Fork Oil and Gas Company, the Phoenix Oil and Gas Company, the Oklahoma, Creek and Choctaw Mineral and Development Company and the Arkansas River Cement and Lime Company.

Three strong companies have been organized and are on the ground to develop and utilize the oil and gas deposits of Tulsa. These companies, whose main offices are all at Tulsa, are the Tulsa Oil and Mining Company (incorporated), capital stock \$150,000; the Frisco Oil and Gas Company, capital stock \$150,000; the Logee Oil and Gas Co., capital stock \$500,000. Numerous prospectors and investors are in the field securing leases and land-holdings. They represent large eastern syndicates and capitalized interests, and only a short space of time will be required to make Tulsa the center of one of the richest coal, oil and gas producing districts in the United States, and her close proximity to the large

deposits of lead and zinc found in Southwestern Missouri, taken into consideration, will ultimately make of her the smelting, refining and manufacturing center of the Southwest.

A live commercial club is ready at all times to supply more detailed information concerning Tulsa and her surroundings upon request.

MUSKOGEE, CREEK NATION.

Muskogee is a Creek Indian name taken from a tribe of Indians said to have originated in South America, who many years ago was settled in this Territory by the United States Government, known, then, as now, as one of the five civilized tribes.

But its name Muskogee is the only distinctively Indian feature of the town, for, from its earliest infancy, it was called by the red man himself, the white man's town.

The significance of this fact may not be apparent to the casual reader, but it will appear very important to the future historian of this country concerning its development; for to him a student and a close observer of the minor details that have any bearing whatever on a country's growth and progress, it will mean that Muskogee was one of the first towns in the Territory to foster any and everything pertaining to a higher class of citizenship.

The earliest settlers of this town were peaceful, law-abiding, industrious, frugal men and women, and its churches and schools still existing, were established by God-fearing and exemplary people, who were so far-seeing and self-sacrificing, that any one can read as they run, the results of such laudable efforts, as these pioneers put forth, each in his or her own way in Muskogee's early years.

For Muskogee now may justly be termed the Athens of the Twin Territories.

Its churches, its schools and its cultured and refined citizens justify the pseudonym.

Even its colored population has been swept along in the wake of these civilized and refining influences, for they too, like the white people here have better churches and schools, and are very much more deserving and law-abiding than the average Territory people are usually expected to be.

In a financial way, Muskogee is one of the strongest towns in the Indian Territory. Its commercial development has been in keeping with its moral and social

growth. Some of its firms would be a credit to any city, both as to the volume of business transacted, and the amount and class of commodities handled. Visitors are always agreeably surprised to see the stocks that some of the larger merchants have on hand, consisting of the newest, most up-to-date goods in all lines.

There are two prosperous banks, and a Territory Trust and Surety Company, destined to transact an enormous amount of business, for they will be so well qualified to handle any and everything entrusted to their keeping.

The Muskogee Development Company, composed of some of the most thorough and competent financiers of the city, has really proven to be a public benefactor to thousands of people.

The electric light plant is large enough to meet the growing demands of a fast growing town, and the telephone company has long distance connections that are very much needed in a town of this size and importance, and by next May an abundant supply of water, pure and soft, will be furnished the people, along with a complete, up-to-date sewerage system.

The acquisition of an adequate water supply will make Muskogee one of the most delightful of places to reside in, for the dust is considered the greatest objectionable feature, and next May-day has been decided upon as the day to celebrate the completion of these water-works, and we predict, that the lawns and gardens, to say nothing of the shade trees, will transform Muskogee into an oasis under such favorable irrigation as has been guaranteed her by the foremost citizens and Mayor of Muskogee.

The United States Court is held here and a number of men of the finest legal talent reside here. Some of the resident physicians have more than a local reputation, and the community is honored to have among them such competent and skillful practitioners. Many patients come from all parts of the Territory and a few from the States to be treated by them.

Every school in its midst is well equipped and instructed by competent and well qualified teachers, and few towns, even in the States of the same number of inhabitants, can boast of such handsome and comfortable school buildings. Spaulding Institute, Henry Kendall, Baptist Bacone University, Sisters of Saint Joseph

School and the Brothers' College, as well as Colored Edward's College, together with free schools, make Muskogee the educational center of the Territory.

Muskogee is the headquarters of the Department of the Interior, through which the entire affairs of the Indians are handled, it being represented here by the Commission to the Five Civilized Tribes, the Indian Inspector and the Indian Agent. It has a population at this time of about 6,000, and it will undoubtedly become the metropolis and commercial center of the Territory.

MADILL, CHICKASAW NATION.

Madill, Chickasaw Nation, is one of the new towns on the St. Louis and San Francisco Railway, and is situated in the center of the only blackland belt of prairie in the Indian Territory, which prairie is thirty miles east and west by about twenty miles north and south, dotted by small groves of native timber sufficient for firewood, fence-posts and the like. This prairie is traversed by many creeks and small streams, and is bounded on the north by the Washita River, which, making a bend to the south, bounds it also on the east, and on the south it is bounded by Red River, thus giving the town many miles of river front. This rich blackland is similar to the rich black, waxy land of Texas, and on it are raised various crops, including a high grade of cotton, corn, wheat and oats, and so productive is the soil that, although only a small per cent of the land is in cultivation, this part of the country has become justly famous as a great agricultural country. This prairie country yields from fifty to seventy-five bushels of corn per acre, and from one to one and one-half bales of cotton. There are yet thousands of acres surrounding Madill of as fine a soil as the sun ever looked down upon, yet to be touched by the plow. There has never been a total failure of crops, and this season, although the drouth throughout the South and West was unprecedented, there is fully a three-fourths crop in this section of both corn and cotton. In fact and in short, the tract of country surrounding Madill may be justly, correctly and accurately designated as the Garden Spot of the World.

Subterranean streams of pure, wholesome, soft water are reached within thirty feet of the surface in most all parts of this fertile region.

Madill is located thirty-five miles northwest of Denison, Tex., twenty miles north of Red River, thirty miles east of Ardmore, Ind. Ter., forty miles south of Roff, thirty-five miles west of Durant, these being her competitive towns, thus giving Madill a very large and fertile agricultural country immediately tributary to it.

Madill is so situated in Pickens County, Chickasaw Nation, that it has heretofore been designated, by a bill introduced in Congress, as the county seat of that country. It will also be the junction point of the Red River Division of the Frisco and the Arkansas and Choctaw Railroads, the former a north and south and the latter an east and west road. The Arkansas and Choctaw will make Madill its division point between Texarkana, its eastern terminus in Arkansas, and Wichita Falls, its western terminus in Texas, establishing here its repair shops and round-house. The contract for the entire 226 miles of this road was let the latter part of August, 1901, to Johnson Bros. & Faught, and work is now under headway, two thousand men and teams being employed.

Madill is also equi-distant from Sapulpa, the north end of the Red River Division of the Frisco, and Fort Worth, Tex., the south end, and it is understood to be the intention of that company also to locate here its round-houses and repair shops. Madill, therefore, in addition to its natural advantages, will be a railroad center of magnitude.

The history of Madill, with its marvelous and wonderful growth, reminds one of the tales of the Arabian Nights, or of magic cities built in a night. One year ago the site of the present town was a part of a large pasture on which was to be seen naught but the hundreds and thousands of cattle that roamed thereon, feeding upon the rich green grass that grew beneath their feet; the little wild flowers that raised their heads toward the bright sun above; the trails of the cattle leading to the refreshing water hid among the woods, and the silence was only broken by the lowing of the cattle and the sweet songs of the birds among the trees. But the railroad came, and to-day, instead of the slow tread of the grazing cattle, there is the hurrying footsteps of busy men; instead of the wild flower there is reared toward the heavens many large and beautiful buildings; instead of the old trails there are many wide and convenient streets leading to all parts of a rapidly growing city; and the music of the song-bird is mingled with the sweet strains of the piano.

Madill was laid off by W. N. Taliaferro, a Choctaw citizen and cattleman, who has lived on and had possession of the land in Madill and the immediate vicinity for the past thirteen years. The town site has been ap-

proved by the Government of the United States, and the possession of lots is acquired and held the same as in any other town of the Indian Territory.

Owing to the delay of the railroad in reaching the town there was not much done in the way of building until after the month of January, 1901, as the lumber and other necessary material could not be gotten at any point nearer than Denison, Tex., thirty-five miles distant. But since the completion of the railroad Madill has had a most marvelous and wonderful growth, there having been erected about twenty-five good and substantial stone and brick business buildings, mostly two stories in height, in which are located about thirty-five business firms, and, in the upper stories, office rooms. There are also about fifty frame business buildings.

Madill has one large sixty-ton cotton oil mill, costing \$85,000, which was finished this year and made a five weeks' run. There are two banks. One, the First National Bank of Madill, of which Mr. F. R. Hedrick is cashier, has been doing business since the first of the year. They have one of the handsomest two-story pressed brick buildings to be found in the Territory, and one which would be a credit to any city in the States. The other bank, of which Mr. J. W. Greer is cashier, will be located in the Lazarus Building, which is also a splendid, two-story, pressed brick building. Of the other pressed brick buildings on the square, of which mention should be made, is that of Mr. Taliaferro. It is a handsome two-story building, fifty-seven by one hundred and fifty feet, located on the corner of the square, as are the other two mentioned, and contains four large and commodious business rooms on the first floor and twenty office rooms above. Among the other business firms are two wholesale grocery establishments, one of which is that of A. Kloski, of Ardmore, of which Mr. W. G. Doak is manager, a wholesale feed store, a wholesale dry goods house, a wholesale hardware store, two gins, one of which is a splendid \$15,000 plant, several large mercantile firms of all lines, bottling works, four lumber yards, good hotels, of which the Hampton House is one of the best, being patronized very largely by the traveling public and commercial men. Among the professional men are the law firms of Soper & Rider, C. M. Crowel and Henshaw & Henshaw.

The residence portion of the town is being pushed with all possible dispatch. The population is now about two thousand.

Madill can claim more capital invested than any new town on the Frisco road, and it has more good, substantial, financially responsible business men, many of whom have built their own business houses, thereby showing their confidence in the future of the town and the permanency of their location.

From the central location of the town as above set forth, with from fifteen to twenty miles of territory on either side, and being the prospective county seat of Pickens County, it is by nature one of the best towns in the Indian Territory. Being the junction of the above-named railroads renders it a highly favorable shipping point and an excellent cotton market.

The surrounding country has produced in the past from 30,000 to 40,000 bales of cotton, which has formerly been hauled a great distance to market. This year Madill will market the greater portion of this cotton itself, there being now located here several good buyers.

The country roads leading to and from Madill penetrate the rolling prairie above described, and, by nature, are the best roads leading to and from any town in the Territory, there being no hills of any consequence to go up or down.

Madill is also situated, financially speaking, in the wealthiest portion of the Chickasaw Nation. The people who are making it their home are, as above mentioned, a substantial and well-to-do class, from all parts of the United States.

Unlike other towns, Madill has not been pushed by a regular town site boomer, but the possession of lots has been quietly obtained from W. N. Taliaferro, a conservative, cautious business man, at probably the highest price paid for lots in any of the new towns of the Southwest.

Mr. Taliaferro, who is a reserved promoter, desired the town to start out with reputable and substantial business men, and that it should have a natural and steady growth which would bring success both to the town and to those making investments therein. He also knew that the splendid location of the town, situated as it is, in the heart of the rich and fertile black land of

the Chickasaw Nation, spoke for itself and needed no fluent tongue to convince prospectors of its great future; and his chief argument, in the sale of lots, has been to ask the prospector to drive through the surrounding country, to look on the map and see the central location of the town, and then decide the future of Madill for himself.

There is not a shadow of doubt that Madill is located in an oil region. In many of the wells in one part of the town the oil is in such great quantities in the water that the people can not drink it. In the other portions of the town, however, the water is as wholesome as any to be found in the Indian Territory or elsewhere. At the oil mill a well was dug which went through a vein of regular black oil, pronounced by some to be asphalt and by others as petroleum.

Capable and efficient school teachers have been secured, and for the school year of 1901-1902 Madill will have a school which will be the equal of any town of its size in the Indian Territory, thus adding to its list of benefits one of the prime requisites of a good town.

The different churches are represented. The Baptists have almost completed their house of worship, and the Methodists will build this fall.

There is also being put in a telephone exchange.

To those desiring investment in the great Indian Territory, we would advise that this little city be given a visit and the above set forth advantages investigated.

ROFF, CHICKASAW NATION.

One of the most beautiful town sites in the Indian Territory is on Sections 23 and 24, in Township 2 north, of Range 4 east, in the Chickasaw Nation, where the incorporated town of Roff, with nearly two thousand population, is located. In the spring of 1900 this was occupied by but one house. About this time a corps of St. Louis and San Francisco Railroad engineers surveyed its line through the present city and Roff saw its first train on December 31, 1900. Eighteen years ago the land on which Roff now stands was open prairie, without a house within a radius of ten miles, but the luxuriant grass and the abundant water supply attracted to that particular locality the cattlemen, who took thousands of cattle there to feed upon the pastures and put them in condition for the market.

In the spring of 1883 a stock ranch was located where Roff is now built. It was not destined, however, to be a ranch, but a thriving, growing town, that will make one of the future cities of the Indian Territory. In the fall of 1889 the people began to discover the advantages this section of the country had over other localities, especially as to the excellent water, fine range, the quality of soil and the high altitude, it being nearly 1,500 feet above the sea level.

Shortly after this the farmers took possession of the country, under leases from the Indians, and in 1890 there was quite a settlement on the Big Blue river, which heads at Roff, and was known as the Roff ranch.

The Post-office was established in July, with Joe Roff, the present mayor, as postmaster.

The old town of Roff was established and comprised some four hundred people in 1890.

With the coming of the railroad survey the people of Roff took a new lease of life; everyone became active and determined to make Roff a city second to none in the Territory; a new site was selected just south of the old town site and the first building was erected thereon in May, 1900; immediately thereafter new business houses

and dwellings sprang up everywhere with a vim and push that indicated much that has since then been accomplished.

Roff now has nearly two thousand inhabitants, forty business houses, two banks, three hotels, several restaurants, three churches completed, while the Catholic and Christian churches are preparing to build at once.

It has all the elements and advantages needed to make a city; it is surrounded by the finest agricultural country in the South, and a failure of crops has never been known. This year's corn crop, because of the unprecedented dry weather all over the country, is the shortest they have ever had. The supply of corn is, however, sufficient for all local purposes.

To compensate the people for the shortage in corn, the cotton crop is of unusual quality and excellence.

The greater portion of the country adjacent to Roff is settled up by an industrious, intelligent, moral class of people; the country, however, affords openings for thousands of people; fertile lands can be acquired at small rentals; proper cultivation brings forth abundant crops, and diversified farming is extensively followed.

The mineral resources of the country are yet undeveloped, but investigation gives assurance that the same are rich and only await proper working to yield handsome profits. The immediate land around Roff affords the finest quality of building stone, and mineral springs give forth water equal to that produced by the famous Sulphur Springs of Virginia.

With all its natural advantages and the hustle, push and enterprise of its people, there is no reason why it should not become the Queen City of the Indian Territory.

When Congress gives the Territory territorial government, which it must do in the near future, and county seats are established, it is certain that Roff will be made a county seat.

One of the best national schools of the Chickasaw Nation is located at Roff and is under the supervision of Prof. C. J. Moore. The nation has a commodious building at this place and supports the school liberally. Some of the most prominent Chickasaws have purchased property in the city and have moved their families there to get the benefits of this school, which is in session ten

months during the year. This school costs the nation and its patrons \$10,000 annually.

The private schools of Roff are in a prosperous condition, something over two hundred and fifty students attending these schools during the last scholastic year.

A block for a public school building has been secured and in a short time the educational advantages of Roff will be far in advance of any town on the Frisco in the Territory.

The telephone interests are ably represented by Mr. F. D. Hummer, who recently moved here from Washington, D. C., and is now engaged in the construction of the Arkansas Valley Telephone Company, a copper metallic toll line from Stroud, O. T., to Denison, Tex., via Sapulpa and Holdenville, and from Shawnee, O. T., to South McAlester, Ind. Ter., via Holdenville, connecting by long distance telephone the States of Kansas, Missouri and Texas and Oklahoma and Indian Territories.

Mr. Hummer is a representative, public-spirited man, and is for Roff, first, last and at all times; is a large property holder and an enterprising citizen.

Among the prominent men who have helped build Roff, M. L. Trout is deserving of special mention. He has, perhaps, done more than any one man in Roff to further the interests of the city. Mr. Trout is a typical Western business man, a large cattle owner, proprietor of the Roff Grain and Elevator Company, extensive wholesale dealers in feed and produce, owner of the Trout Hotel, besides being interested in numerous business enterprises, and every move having a tendency to improve Roff and the surrounding country.

An institution of which the city of Roff is justly proud is the First National Bank, which was established in June, 1900, and occupied the first building erected on the present town site. It now occupies a two-story stone building, which is one of the most complete and handsomest bank buildings in the Indian Territory. The officers are: E. D. Nims, President; Lorenz Rodke, Vice-President; C. S. Hudson, Cashier. The Board of Directors is composed of the best business men of Roff. Its growth has been steady but constant, and it is at this time recognized as one of the most substantial banking institutions in the Chickasaw Nation.

Hon. Ulysses G. Winn is one of Roff's prominent attorneys, he having resigned the United States Com-

missionership to care for his law practice, which has become extensive. Mr. Winn is also a leading politician in the Territory. He is loud in his praise of Roff as a court center and is sure it will become the metropolis of the Chickasaw Nation.

The Roff Oil and Cotton Company was organized in the spring of 1900, under the name of the Texas and Indian Territory Oil and Cotton Company, by parties from Sherman, Tex., with Mr. N. B. Birge, President; Dr. John Grant, Vice-President, and Mr. J. A. Standfield, Secretary and Treasurer. While the plant is under the same management the name has been changed to the Roff Oil and Cotton Company to distinguish it from other plants owned by the same company elsewhere. The mill is equipped with the latest improved oil mill machinery and has a daily capacity of eighty tons. It also has in connection a four seventy-saw Munger gin plant. The entire plant has electric lights throughout, and the water supply is abundantly sufficient to furnish water for all emergencies. W. B. Crowder is the Roff manager. The capital stock of the company is \$75,000. They employ thirty-five men and have a pay-roll of \$1,200 a month.

SOUTH McALESTER, CHOCTAW NATION.

South McAlester, an incorporated city of the first-class, the leading banking and commercial center of the Choctaw Nation, has for several years been forging to the front, and is now recognized as the metropolis of the coming State. It is pleasantly situated at the crossing of the two great trunk lines of railway, the Choctaw, Oklahoma and Gulf and the Missouri, Kansas and Texas, ninety-six miles north of Denison, Tex., and one hundred miles west of Fort Smith, Ark. The city has unusually good transportation facilities, and it is brought into close communication with all points, North, East, South and West. The Santa Fe and other railroads are projected and surveyed into South McAlester, and self-interest will compel them to connect here, thus making this one of the greatest railroad centers in the Southwest.

The location of the city is high, dry and healthful, being situated midway between the North and South, it is free from blizzards of the one as the sultry oppressions of the other. The town is blessed with an abundant supply of good, cool, free-stone water, a genial, balmy, health-giving atmosphere and a climate worthy of a Sicilian sky.

In point of commercial importance South McAlester easily ranks first in the Territory. This is clearly indicated by its immense freight traffic, which far outstrips anything in the country between Kansas City and Denison. The city has a macaroni factory, broom factory, foundry, planing mills, cotton compress with a capacity of 1,200 bales per day, cotton gin, grist mill, electric plant, telephone system, steam laundry and an inexhaustible supply of oil and gas in the vicinity, eight wholesale establishments, pressed brick works and a large cotton mill is projected and will soon be in successful operation.

South McAlester has a good system of public free schools and a college and normal school, under way. A modern and well-equipped hospital and training school for nurses, ten church organizations representing all the

leading denominations, and an industrious, sociable, law-abiding people. The leading secret societies are well represented and have large and flourishing memberships. The society is good, and as a place of residence is nowhere surpassed in the country. The city is only ten years old and has a population of about five thousand, which will undoubtedly be doubled within the next two years.

The city is located in the heart of the finest coal-mining region in the United States, there being over thirty coal mines located within a radius of three miles. Such neighboring and dependent towns as McAlester, Krebs, Cherryville, Hartshorn and Alderson are all immense coal mining camps, giving employment to thousands of men, consuming great quantities of supplies and paying out every month tens of thousands of dollars, thus contributing wonderfully to the maintenance, growth and development of the city. Owing to the fine railroad facilities, inexhaustible coal fields, gas and oil and cotton supply near at hand South McAlester bids fair to become a leading manufacturing city at no distant day.

Perhaps no city in the United States has such an abundant supply of fine building material as South McAlester. This material is used as fast as men and money can do so, being transformed into large, substantial brick and stone structures, some two, three and even four-stories high, buildings that would be a credit to St. Louis or Kansas City. Scores of elegant, commodious private residences are going up on every hand as if by magic, thus contributing to the comfort and ease of her citizens.

South McAlester is the great mecca of justice for the Indian Territory. It is the one city of the Territory that has a full complement of courts, consisting of a Commissioner's Court, United States District Court and the United States Court of Appeals for the Indian Territory, which is the highest court in the country. These courts transact a vast amount of civil and criminal business, attract great numbers of people from all parts of the Territory, who come as attorneys, witnesses and litigants. Many thousands of dollars are paid out here every year by the courts in the administration of justice, all of which goes to the enlargement, growth and development of this progressive city.

Allotment and statehood are now assured facts, and as the city is so fortunately situated, located as it is within a few miles of the geographical center of the Territory, it will very likely be made the capital of the new State. Its enviable location, unsurpassed natural advantages and wide-awake, progressive, enterprising citizens, all combine to assure the future of South McAlester, and it is confidently believed that at no distant day it will rival in pomp and splendor the first cities of the country and will yet be crowned the Queen City of the great Southwest.

VINITA, CHEROKEE NATION.

A generation ago, or to be more explicit, in the fall of 1869, there might have been seen struggling through the rank underbrush, or toiling through the tall prairie grass, a party of men locating a route for a railroad along the line now traversed by the Missouri, Kansas and Texas, south of the Kansas line, and headed southward toward Texas and the Gulf. It was a fine autumn day in the early part of October. The green and gold and purple of the leaves of the timber that scantily skirted the streams made a pretty picture in the soft, hazy sunshine. The party scrambled up the south bank of Cabin creek and strolled leisurely out onto the more elevated prairie and struck camp, or rather came up with the wagons and the outfit which had preceded them, though by a circuitous route, and had gone into camp earlier in the afternoon. The gang of men were under instructions to locate a station thirty miles or thereabouts from the State line; and their record of chain-lengths told them that they had about reached the place. The circumambient line of timber on the north and east, following the undulations of the stream, and stretching away to the southward, the long line of Indian summer clouds that melted away before the evening sunset, the magnificent adjacent country, all tended to fix the conviction upon those interested that a finer location could not be found for a station and by-and-by a thriving town.

Such were some of the preliminaries to the birth of Vinita, but the fates deemed it not wise to locate the town on the spot first decided on by the advance agents of a great railroad. The survey of the Atlantic and Pacific by mutual agreement crossed the "Katy" at this point and everything ran along smoothly till the former roadbed was built to within a mile and a half east of this present town site. Then a very remarkable thing happened and the town site was removed between two suns, very much to the disgust, and even armed resistance, of the "Katy."

The elder E. C. Boudinot, Dr. Polson, Johnson Thompson and Col. J. M. Bell arranged with the Atlantic

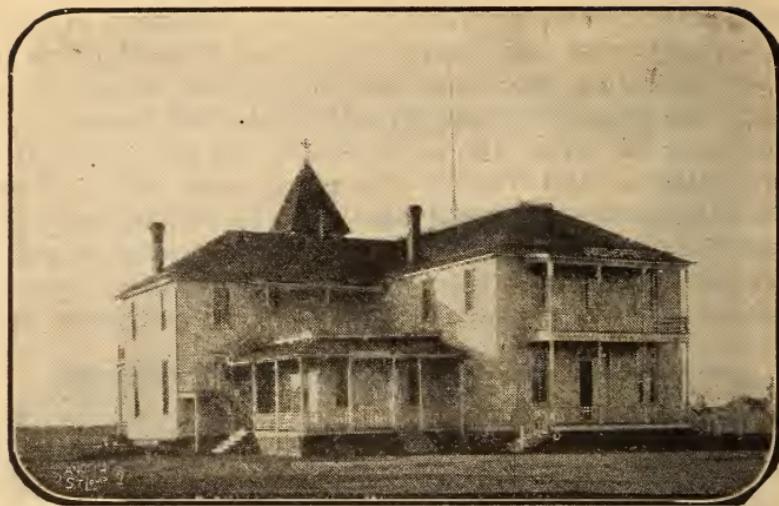
and Pacific people to turn their line, abandon the old survey and cross the "Katy" where the crossing now is. In the meantime Boudinot and his friends fenced something like two miles square with posts and lumber and undertook to "own" the entire town site and more, too. The Atlantic and Pacific Company came with camps and baggage in the night-time with the huge iron railroad crossing loaded on a wagon and proceeded to place it across the track of the other line. The "Katy" people, aroused and indignant, came with an armed force and



CHEROKEE MALE SEMINARY, VINITA, IND. TER.

tore up the crossing and stood guard day and night, slowly dragging trains back and forth to prevent the other road from making headway. The courts were finally appealed to and an injunction granted, and the road pushed westward to the crossing of Big Cabin.

Boudinot's scheme to hold the town site did not succeed. His fencing was torn down and destroyed, and the Cherokee authorities, through the town commissioners, surveyed and platted the present town site and named it Downingville, but Boudinot had the satisfaction of giving it a name which superceded Downingville, and from the start was the popular one, and



CATHOLIC SCHOOL, VINITA, IND. TER.



SCENE ON UPPER MAIN STREET, VINITA, IND. TER.,
DURING "AN INDIAN PAYMENT."

had the advantage of the sanction of both railroads. Boudinot named the town Vinita, in honor of Vinnie Ream, the sculptress, whom he had known and loved in Washington City, while an exile from his home and people on account of his premature notions as to allotment of Cherokee lands.

The town was platted and the first lots sold in February, 1872. Martin Thompson was the first to bid on and purchase a lot in the town. At first, after the coming of the Frisco, the town was built principally of tents and board shanties, occupied for the most part by whisky peddlers and toughs. Brawls and fights were



SCENE ON ILLINOIS AVENUE, VINITA, IND. TER.

frequent and now and then a man would be killed.

For ten years there was a slow, gradual growth. A few hundred people had settled here at the crossing of the two railroads, few town lots had been sold, and property was not in demand—at least the kind of property embodied in a town lot. Ten years later, however, the Frisco was pushed westward and the straggling little city of Vinita became, for the time being, the base of supplies and added some hundreds to its population. A steady, though not rapid, growth set in then that has continued to the present. In some portions of the town thickly built and populated now, hay was cut in the summer a few years back, but the Cherokee Nation sold all its lots long ago.

The culture and refinement that good circumstances usually bring are not wanting in Vinita. In recent years a number of residents of the town have built elegant new homes, and others have added elaborate and costly furniture as their circumstances enable them to indulge in the luxuries of life in the city.

Vinita, on account of its central location, in the heart of the great prairie section of the Cherokee Nation, fed by the finest and most productive agricultural lands in the whole Indian Territory, and owing to the splendid health of its people, its schools and colleges and numerous other advantages, aside from the best business point within a radius of one hundred and fifty miles, is becoming more and more a city of beautiful homes.

While it is distinctly an Indian town, its population consists very largely of the mixed blood element, the thrifty, energetic, ambitious class of Indian citizens who know and appreciate the very best of everything. Many of the best farmers and ranchmen of the nation have located here in order to educate their children at the schools and to enjoy the privileges of church and of social organization. The existence of these conditions among those who are distinctly Cherokee citizens has been the means of attracting a large and very desirable class of people from the States who have located here for business, and for the practice of the various professions. The town of Vinita is practically free from the race prejudice so prevalent in some other towns in the Indian country. The establishment of a United States court here has wrought a mighty change in the sentiment of the people, and has been the potent means of breaking down whatever barriers may have existed between the two elements of citizenship. Side by side upon the juries, and on equal recognition in all the relations of American citizenship, has been a beneficial revelation to many of the Indians, and has dispelled the imaginary differences that never did exist in reality. Each year since the first organization of the United States court in the Indian Territory, in 1889, has witnessed increased jurisdiction and widening of its scope and usefulness. Vinita now has a fullfledged court in session for many months each year, and with possibly one exception has the most extensive business, both civil and criminal, of any court in the Territory.

Every line of business is represented by wide-awake, enterprising business men who are certainly above the average in financial standing. Business failures have been few and far between, and not often of great consequence. The most of the business houses of Vinita are modern style brick structures, commodious and well arranged, and with fine plate glass fronts where may be seen displays as elaborate and artistic as in any city ten times larger.

Our merchants draw trade from a large area of rich and very fertile country. The constant stream of wagons coming into town loaded with all manner of products of



SCENE ON WILSON STREET, VINITA, IND. TER.

the farm, and the ranch, and the coal mines, bespeak the character of the town and its resources with far greater force than any ordinary pen can describe. As an example of the market for produce it may be stated on Saturday recently 1086 dozen eggs were purchased by merchants and shipped. The crowded streets from morning till night with every manner of people passing to and fro bent upon some business errand, tell plainly and unmistakably of an extraordinary fine business town.

It is the largest market for upland prairie hay, high grade, in the country, and ranks with the highest in corn and wheat.

The merchants long ago adopted the universal cash system, and it prevails, practically, in every business en-

terprise in the city. It is the healthiest and cheapest place to live in the territory. Water is abundant everywhere. Coal is sold on the street and at farmhouses much cheaper than wood anywhere. We have plenty of wood also. Rents are cheap, and taxes only one per cent.

Of all the towns in the Cherokee Nation Vinita easily leads in the point of population and general importance. It is the social and commercial center of the Cherokee Nation, and here for business and other purposes many of its most wealthy and influential families have gathered, ready to make investments and to enter the race of existence with the competition of the world when the final change of government and land titles are completed.

As a place to make money, and to enjoy all the possibilities of a rich new country of unlimited resources, such as this is, soon to be opened, free from every barrier to emigration and development, Vinita stands at the head and center, and is the hub of a vast section comprising the whole north end of the Indian Territory.

At an elevation above the sea level of from seven to eight hundred feet, and its proximity to the great Western plains, once styled the American Desert, assures an abundant supply of pure dry air in summer, and a protection against the sultry nights in summer which prevail in Arkansas and Missouri and further south. Our winters are neither long nor severe, generally speaking, being so blended with the prolonged and delightful autumns and early spring that their identity is almost lost, save for an occasional blizzard which has about spent its force in Nebraska and Kansas before reaching the Indian Territory.

The continuous attempts that have for a score of years been made to secure allotment of lands in severalty to the individual citizens of the Cherokee Nation are at last about to be crowned with success. The coercive attitude of Congress, and the manifest injustice of the Curtis law have induced the Cherokees themselves to take the initiative and ask Congress to ratify an agreement providing for allotment and individual title to the land, and an equitable arrangement whereby holders of town lots may secure titles to the same.

Vinita is fully prepared for the era of prosperity that the coming years are sure to bring to her. The future of the town lies along the path of steady and

substantial growth. That a city of 25,000 inhabitants will be built here within the next decade is but a reasonable prophecy.

In the very beginning the city has acquired school property valued at over ten thousand dollars, a deal made by the city council and the school board and so satisfactory that not one single objection has been heard to the scheme that means largely increased taxation, but more than corresponding benefit to the city.



S. S. COBB (CHEROKEE), VINITA, AT HIS MINES, CHEROKEE NATION.

Already many excellent families have located in Vinita solely on account of the splendid school facilities afforded.

While on the subject of schools we must not overlook Willie Halsell College, and the Catholic school, both in a prosperous condition and doing excellent work. The college under the management of President Brewer is being rapidly brought up to a high standard and ranks favorably with the best institutions of learning in the whole country. As a finishing school it fills a

place hitherto unsupplied in the northern portion of the Indian Territory. There are 215 students enrolled this year and \$2,500 has just been subscribed by the business men of Vinita to enlarge and improve the facilities and beautify the grounds. It is no longer necessary to send our young people away from home for educational facilities.

Not a single "joint" or drinking shop has been in Vinita for three years. Prohibition prohibits here, something that no other town in the Indian Territory, perhaps, can show.

The lodges are many and well attended. The Masons, Odd Fellows, Knights of Pythias, Woodmen, Fraternal Aid and others have active organizations. The Vinita banks are as Gibraltar for strength. The First National is capitalized at \$100,000, and the Vinita National at \$50,000, the Cherokee National at \$25,000. Their average daily balances exceed \$400,000. They have numerous small connecting banks throughout the Cherokee Nation.

The newspapers of Vinita are the Daily and Weekly Chieftain, the Leader and the Territorial News, all first-class papers.

Vinita has an opera-house, with a seating capacity for seven hundred people; several good hotels, steam laundry, bottling works, three mills, one flouring and grist and the other two grist only; church congregations, including the Methodist Episcopal, South; Presbyterian, Baptist, Episcopal, Congregational, Catholic, Methodist Episcopal and colored Methodist and Baptist; great cattle and live stock shipping point; jobbing and distributing headquarters for the Territory, because of location and railroad facilities; the railroads have set apart town property and trackage accommodations free to jobbers and distributors; two wholesale grocery houses; produce and fruit commission; implement, wagon and buggy distributors; ice and cold storage plant, capital \$25,000, paid up. The city is lighted by electricity. The local telephone exchange has two hundred subscribers. Long-distance telephone connects Vinita with fifty inland and adjoining towns, as well as to all parts of the Territory and Southern Kansas. Waterworks system for fire protection now being organized.

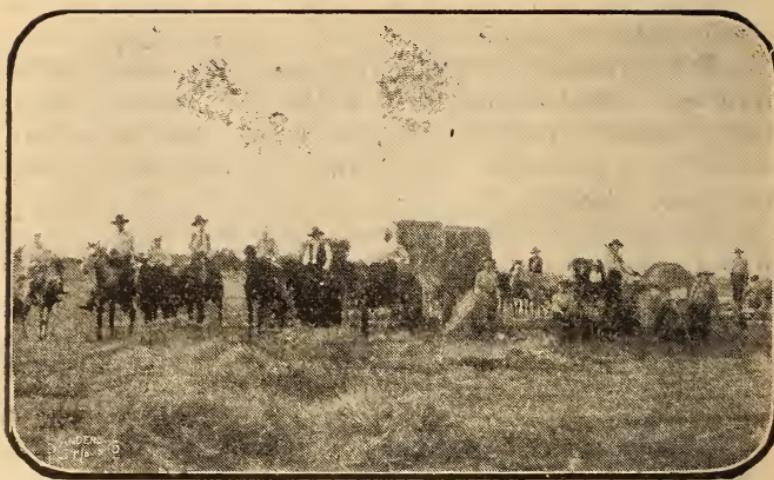
Each and every company and enterprise has been organized in Vinita and is owned and operated by Vinita people.

But an accident happened, recently, which is going to insure the building of a large city rather than the mere chance crossing of two great railway systems. Less than a year ago G. W. Miller, an insurance man, and long-time resident of Vinita, started out one day with a piece of paper and a pencil to organize a stock company to bore for oil, gas, lead, zinz, or mayhap for water—



BRANDING CATTLE NEAR VINITA, IND. TER.

just water. Miller sold shares to the subscribers or stockholders at twenty-five dollars. He called it the Vinita Artesian Well and Prospecting Company. Nobody said much, but some of the smart ones laughed a little and looked wise. After a few hundred dollars had been subscribed several fruitless attempts were made to get a meeting of the stockholders, but generally Miller was about the only man who thought enough of the scheme to attend. By and by, along toward the close of the year, a contract was made with a drilling company, and one day some old rusty drills and an engine were unloaded and a derrick began to raise its head.



MAKING HAY ON OPEN PRAIRIE NEAR VINITA, IND. TER.



SCENE IN HAY FIELD NEAR VINITA. CHEROKEE NATION.

The town boys paid more attention to what was going on than the town men, and nobody on earth could tell what they expected to strike. The thing ran night and day for a time, and one morning it was announced that the drill had struck artesian water, and it was flowing down the railroad ditch toward the mill and into the creek. Squads of men and boys strolled over to see it. At a depth of less than seven hundred feet a magnificent flow of fine artesian water had been struck, and the railroad ditch and Bull creek are still running, and the dry prairie branch has been transformed into a living stream that will never stop unless something is done to utilize



ONE OF THE ARTESIAN WELLS AND SWIMMING POOLS IN VINITA.

the water. Miller has been the innocent cause of striking something of vastly greater possibilities than was the chance crossing of the pioneer railroads. It is now demonstrated that the railroads not only happened to cross at a good place to build a town, but that underneath the town site is a fountain, rich, accessible and exhaustless. The water question is solved, but it is more than mere water. It is what Ponce de Leon sought —the fountain of health and youth. This is no idle dream nor paid newspaper article, nor the hallucination of a boomer, but the proof of these statements will eventually vindicate the wildest prophecy of the sanitary possibilities of the Vinita artesian well.



L. B. BELL,
PROMINENT CHEROKEE.
VINITA, IND. TER.

T. M. BUFFINGTON,
CHIEF OF CHEROKEES.
VINITA, IND. TER.

Another accident and its consequence should be related in this connection. After the first well had been drilled and a magnificent flow of water struck, the machinery was moved to W. E. Halsell's residence block and a second well drilled, securing a similar flow. Last spring Mr. Halsell and his wife sat down to figure out where to spend the summer. Having abundant means at their command they sometimes have gone to Narragansett, or to Mackinac Island or other health resort. With troubles from an affection of the kidneys, Halsell has suffered for years, and his wife is a frail woman, never having enjoyed good health in her life. After due consideration they decided to spend the amount of money usually consumed in going to the watering places in improving the artesian well on their premises and stay at home and try the curative properties of the Vinita wells. As a result, quite a large sum has been expended in the construction of waterworks, fountains and bathing pools in the Halsell grounds in Vinita. A large cement stone pool, one hundred by sixty feet, five or six feet deep, has been built, and it stands nearly full of clear limpid water from the well. An elaborate house with all the modern conveniences has been built here, where children and adults can alike get the benefit of the water. The result has been marvelous, and the Halsell family are enjoying better health than ever before in their lives. Men are hauling the water away in barrels, jugs and buckets.

An analysis made by the agricultural chemist at the A. and M. College at Stillwater, Okla., shows that there are no obnoxious elements in this water, that it has medicinal properties and is sure to be a good preventive of malaria and other insidious diseases. Analysis:

| | |
|-----------------------------|------|
| Carbonate of lime..... | 5.7 |
| Sulphate of lime..... | 1.4 |
| Calcium chloride..... | 0.4 |
| Magnesium chloride..... | 4.5 |
| Salt (sodium chloride)..... | 61.7 |
| Carbonate of soda..... | 26.5 |
| Undetermined matter..... | 4.7 |

Total solid matter in solution only 105 parts per 100,000, or only a little more than one drop in 10,000.

There are nine of these wells in Vinita now, and three more contracted for. The average flow from each

well is sixty thousand gallons daily. The city has one at the intersection of two of the main streets, and the others are distributed around. Swimming pools and individual waterworks systems have been put in by many, and yards and gardens are watered at minimum expense.

There is a fine opening for the following enterprises in Vinita: Jobbing and distributing houses of all kinds; another grain elevator, flouring mill, pork packing establishment, hay compress, poultry commission, good surveyor, hotel, public bath house, rustling real estate agent and more wide awake merchants in all lines of trade.

Vinita also has a commercial club of 125 members. As soon as allotment is precipitated in the Cherokee Nation, it is estimated there will be one thousand first-class farms for sale and lease within ten miles of Vinita. The Indians have more than they desire to cultivate themselves.

Write to commercial club for information.

Treaties and Laws Pertaining to the Five Civilized Tribes.

THE CREEK TREATY.

An Act To ratify and confirm an agreement with the Muskogee or Creek tribe of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the agreement negotiated between the Commission to the Five Civilized Tribes and the Muskogee or Creek tribe of Indians at the City of Washington on the eighth day of March, nineteen hundred, as herein amended, is hereby accepted, ratified and confirmed, and the same shall be of full force and effect when ratified by the Creek national council. The principal chief, as soon as practical after the ratification of this agreement by Congress, shall call an extra session of the Creek national council and lay before it this agreement and the Act of Congress ratifying it, and if the agreement be ratified by said council, as provided in the constitution of said nation, he shall transmit to the President of the United States the act of council ratifying the agreement, and the President of the United States shall thereupon issue his proclamation declaring the same duly ratified, and that all the provisions of this agreement have become law according to the terms thereof: Provided, That such ratification by the Creek national council shall be made within ninety days from the approval of this Act by the President of the United States.

This agreement by and between the United States, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Tams Bixby, Archibald S. McKennon and Thomas B. Needles, duly appointed and authorized thereunto, and the Muscogee (or Creek) tribe of Indians, in Indian Territory, entered into in behalf of said tribe by Pleasan Porter, Principal Chief, and George A. Alexander, David M. Hodge, Isparhecher, Albert P. McKellop and Cub McIntosh, delegates, duly appointed and authorized thereunto.

Witnesseth that in consideration of the mutual undertakings herein contained it is agreed as follows:

DEFINITIONS.

1. The words "Creek" and "Muskogee," as used in this agreement, shall be deemed synonymous, and the words "Creek Nation" and "tribe" shall each be deemed to refer to the Muskogee Nation or Muskogee tribe of Indians in Indian Territory. The words "Principal Chief" shall be deemed to refer to the Principal Chief of the Muskogee Nation. The words "citizen" or "citizens" shall be deemed to

refer to a member or members of the Muskogee tribe or nation of Indians. The words "The Dawes Commission" or "commission" shall be deemed to refer to the United States Commission to the Five Civilized Tribes.

GENERAL ALLOTMENT OF LANDS.

2. All lands belonging to the Creek tribe of Indians in the Indian Territory, except town sites and lands herein reserved for Creek schools and public buildings, shall be appraised at their true value, excluding only lawful improvements on land in actual cultivation. The appraisement shall be made under direction of the Dawes Commission by such number of committees, with necessary assistance, as may be deemed necessary to expedite the work, one member of each committee to be appointed by the principal chief; and if the members of any committee fail to agree as to the value of any tract of land, the value thereof shall be fixed by said commission. Each committee shall make report of its work to said commission, which shall from time to time prepare reports of same, in duplicate, and transmit them to the Secretary of the Interior for his approval, and when approved one copy thereof shall be returned to the office of said commission for its use in making allotments as herein provided.

3. All lands of said tribe, except as herein provided, shall be allotted among the citizens of the tribe by said commission so as to give each an equal share of the whole in value, as nearly as may be, in manner following: There shall be allotted to each citizen one hundred and sixty acres of land—boundaries to conform to the Government survey—which may be selected by him so as to include improvements which belong to him. One hundred and sixty acres of land, valued at six dollars and fifty cents per acre, shall constitute the standard value of an allotment, and shall be the measure for the equalization of values; and any allottee receiving lands of less than such standard value may, at any time, select other lands, which at their appraised value, are sufficient to make his allotment equal in value to the standard so fixed.

If any citizen select lands the appraised value of which, for any reason is in excess of such standard value, the excess of value shall be charged against him in the future distribution of the funds of the tribe arising from all sources whatsoever, and he shall not receive any further distribution of property or funds of the tribe until all other citizens have received lands and money equal in value to his allotment. If any citizen selects lands the appraised value of which is in excess of such standard value, he may pay the overplus in money, but if he fail to do so, the same shall be charged against him in the future distribution of the funds of the tribe arising from all sources whatsoever, and he shall not receive any further distribution of property or funds until all other citizens shall have received lands and funds equal in value to his allotment and if there be not sufficient funds of the tribe to make the allotments of all other citizens of the tribe equal in value to his, then the surplus shall be a lien upon the rents and profit of his allotment until paid.

4. Allotment for any minor may be selected by his father, mother, or guardian, in the order named, and shall not be sold during his minority. All guardians or curators appointed for minors and incompetents shall be citizens.

Allotments may be selected for prisoners, convicts, and aged and infirm persons by their duly appointed agents, and for incompetents by guardians, curators, or suitable persons akin to them, but it shall be the duty of said commission to see that such selections are made for the best interests of such parties.

5. If any citizen have in possession, in actual cultivation, lands in excess of what he and his wife and minor children are entitled to take, he shall, within ninety days after the ratification of this agreement, select therefrom allotments for himself and family aforesaid, and if he have lawful improvements upon such excess he may dispose of the same to any other citizen, who may thereupon select lands so as to include such improvements; but, after the expiration of ninety days from the ratification of this agreement, any citizen may take any lands not already selected by another, but if lands so taken be in actual cultivation, having thereon improvements belonging to another citizen, such improvements shall be valued by the appraisement committee, and the amount paid to the owner thereof by the allottee, and the same shall be a lien upon the rents and profits of the land until paid: Provided, That the owner of improvements may remove the same if he desires.

6. All allotments made to Creek citizens by said commission prior to the ratification of this agreement, as to which there is no contest, and which do not include public property, and are not herein otherwise affected, are confirmed, and the same shall, as to appraisement and all things else to be governed by the provisions of this agreement and said commission shall continue the work of allotment of Creek lands to citizens of the tribe as heretofore, conforming to provisions herein; and all controversies arising between citizens as to their right to select certain tracts of land shall be determined by the commission.

7. Lands allotted to citizens hereunder shall not in any manner whatsoever, or at any time, be incumbered, taken, or sold to secure or satisfy any debt or obligation contracted or incurred prior to the date of the deed to the allottee therefor, and such lands shall not be alienable by the allottee or his heirs at any time before the expiration of five years from the ratification of this agreement, except with the approval of the Secretary of the Interior.

Each citizen shall select from his allotment forty acres of land as a homestead, which shall be nontaxable and inalienable and free from any incumbrance whatever for twenty-one years, for which he shall have a separate deed, conditioned as above: Provided, That selections of homesteads for minors, prisoners, convicts, incompetents, and aged and infirm persons, who cannot select for themselves, may be made in the manner herein provided for the selection of their allotments; and if, for any reason, such selection be not made for any citizen, it shall be the duty of said commission to make selection for him.

The homestead of each citizen shall remain, after the death of the allottee, for the use and support of children born to him after the ratification of this agreement, but if he have no such issue, then he may dispose of his homestead by will, free of limitation herein imposed, and if this be not done, the land shall descend to his heirs according to the laws of descent and distribution of the Creek Nation, free from such limitation.

8. The Secretary of the Interior shall, through the United States Indian agent in said Territory, immediately after the ratification of this agreement, put each citizen who has made selection of his allotment in unrestricted possession of his land and remove therefrom all persons objectionable to him; and when any citizen shall thereafter make selection of his allotment as herein provided, and receive certificate therefor, he shall be immediately thereupon so placed in possession of his land.

9. When allotment of one hundred and sixty acres has been made to each citizen, the residue of lands, not herein reserved or otherwise disposed of, and all the funds arising under this agreement shall be used for the purpose of equalizing allotments, and if the same be insufficient therefor, the deficiency shall be supplied out of any other funds of the tribe, so that allotments of all citizens may be made equal in value, as nearly as may be, in manner herein provided.

TOWN SITES.

10. All towns in the Creek Nation having a present population of two hundred or more shall, and all others may, be surveyed, laid out, and appraised under the provisions of an Act of Congress entitled "An Act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes," approved May thirty-first, nineteen hundred, which said provisions are as follows:

"That the Secretary of the Interior is hereby authorized, under rules and regulations to be prescribed by him, to survey, lay out, and plat into town lots, streets, alleys and parks, the sites of such towns and villages in the Choctaw, Chickasaw, Creek, and Cherokee Nations, as may at any time have a population of two hundred or more, in such manner as will best subserve the then present needs and the reasonable prospective growth of such towns. The work of surveying, laying out, and platting such town sites shall be done by competent surveyors, who shall prepare five copies of the plat of each town site which, when the survey is approved by the Secretary of the Interior, shall be filed as follows: One in the office of the Commissioner of Indian Affairs, one with the principal chief of the nation, one with the clerk of the court within the territorial jurisdiction of which the town is located, one with the Commissioner of the Five Civilized Tribes, and one with the town authorities, if there be such. Where in his judgment the best interests of the public service require, the Secretary of

the Interior may secure the surveying, laying out, and platting of town sites in any of said nations by contract.

"Hereafter the work of the respective town-site commissions provided for in the agreement with the Choctaw and Chickasaw tribes ratified in section twenty-nine of the Act of June twenty-eighth, eighteen hundred and ninety-eight, entitled 'An Act for the protection of the people of the Indian Territory, and for other purposes,' shall begin as to any town site immediately upon the approval of the survey by the Secretary of the Interior and not before.

"The Secretary of the Interior may in his discretion appoint a town-site commission consisting of three members for each of the Creek and Cherokee Nations, at least one of whom shall be a citizen of the tribe and shall be appointed upon the nomination of the principal chief of the tribe. Each commission, under the supervision of the Secretary of the Interior, shall appraise and sell for the benefit of the tribe the town lots in the nation for which it is appointed acting in conformity with the provision of any then existing Act of Congress or agreement with the tribe approved by Congress. The agreement of any two members of the commission as to the true value of any lot shall constitute a determination thereof, subject to the approval of the Secretary of the Interior, and if no two members are able to agree the matter shall be determined by such Secretary.

"Where in his judgment the public interests will be thereby subserved, the Secretary of the Interior may appoint in the Choctaw, Chickasaw, Creek, or Cherokee Nation a separate town-site commission for any town, in which event as to that town such local commission may exercise the same authority and perform the same duties which would otherwise devolve upon the commission of that Nation. Every such local commission shall be appointed in the manner provided in the Act approved June twenty-eighth, eighteen hundred and ninety-eight, entitled 'An Act for the protection of the people of the Indian Territory.'

"The Secretary of the Interior, where in his judgment the public interests will be thereby subserved, may permit the authorities of any town in any of said nations, at the expense of the town, to survey, lay-out, and plat the site thereof, subject to the supervision and approval as in other instances.

"As soon as the plat of any town site is approved, the proper commission shall, with all reasonable dispatch and within a limited time, to be prescribed by the Secretary of the Interior, proceed to make the appraisement of the lots and improvements, if any, thereon, and after the approval thereof by the Secretary of the Interior, shall, under the supervision of such Secretary, proceed to the disposition and sale of the lots in conformity with any then existing Act of Congress or agreement with the tribe approved by Congress, and if the proper commission shall not complete such appraisement and sale within the time limited by the Secretary of the Interior, they shall receive no pay for such additional time as may be taken by them, unless the Secretary of the Interior for good cause shown shall expressly direct otherwise.

"The Secretary of the Interior may, for good cause, remove any member of any townsite commission, tribal or local, in any of said nations, and may fill the vacancy thereby made or any vacancy otherwise occurring in like manner as the place was originally filled.

"It shall not be required that the town-site limits established in the course of platting and disposing of town lots and the corporate limits of the town, if incorporated, shall be identical or coextensive, but such town-site limits and corporate limits shall be so established as to best subserve the then present needs and the reasonable prospective growth of the town, as the same shall appear at the times when such limits are respectively established: Provided further, That the exterior limits of all town-sites shall be designated and fixed at the earliest practicable time under rules and regulations prescribed by the Secretary of the Interior.

"Upon the recommendation of the Commission to the Five Civilized Tribes the Secretary of the Interior is hereby authorized at any time before allotment to set aside and reserve from allotment any lands in the Choctaw, Chickasaw, Creek or Cherokee Nations, not exceeding one hundred and sixty acres in any one tract, at such stations as are or shall be established in conformity with law on the line of any railroad which shall be constructed or be in process of construction in or through either of said nations prior to the allotment of the lands therein, and this irrespective of the population of such town-site at the time. Such town-sites shall be surveyed, laid out, and platted, and the lands therein disposed of for the benefit of the tribe in the

manner herein prescribed for other town-sites: Provided further, That whenever any tract of land shall be set aside as herein provided which is occupied by a member of the tribe, such occupant shall be fully compensated for his improvements thereon under such rules and regulations as may be prescribed by the Secretary of the Interior: Provided, That hereafter the Secretary of the Interior may, whenever the chief executive or principal chief of said nation fails or refuses to appoint a town-site commissioner for any town or to fill any vacancy caused by the neglect or refusal of the town-site commissioner appointed by the chief executive or principal chief of said nation to qualify or act, in his discretion appoint a commissioner to fill the vacancy thus created.

11. Any person in rightful possession of any town lot having improvements thereon, other than temporary buildings, fencing and tillage, shall have the right to purchase such lot by paying one-half of the appraised value thereof, but if he shall fail within sixty days to purchase such lot and make the first payment thereon, as herein provided the lot and improvements shall be sold at public auction to the highest bidder, under the direction of the appraisal commission, at a price not less than their appraised value, and the purchaser shall pay the purchase price to the owner of the improvements, less the appraised value of the lot.

12. Any person having the right of occupancy of a residence or business lot or both in any town, whether improved or not, and owning no other lot or land therein, shall have the right to purchase such lot by paying one-half of the appraised value thereof.

13. Any person holding lands within a town occupied by him as a home, also any person who had at the time of signing this agreement purchased any lot, tract or parcel of land from any person in legal possession at any time, shall have the right to purchase the lot embraced in same by paying one-half of the appraised value thereof, not, however, exceeding four acres.

14. All town lots not having thereon improvements, other than temporary buildings, fencing, and tillage, the sale or disposition of which is not herein otherwise specifically provided for, shall be sold within twelve months after their appraisal, under direction of the Secretary of the Interior, after due advisement, at public auction to the highest bidder at not less than their appraised value.

15. When the appraisal of any town lot is made, upon which any person has improvements as aforesaid, said appraisal commission shall notify him of the amount of said appraisal, and he shall within sixty days thereafter, make payment of ten per centum of the amount due for the lot, as herein provided, and four months thereafter he shall pay fifteen per centum additional, and the remainder of the purchase money in three equal annual installments, without interest.

Any person who may purchase an unimproved lot shall proceed to make payment for same in such time and manner as herein provided for the payment of sums due on improved lots, and if in any case any amount be not paid when due, it shall thereafter bear interest at the rate of ten per centum per annum until paid. The purchaser may in any case at any time make full payment for any town lot.

16. All town lots purchased by citizens in accordance with the provisions of this agreement shall be free from incumbrance by any debt contracted prior to date of his deed therefor, except for improvements thereon.

17. No taxes shall be assessed by any town government against any town lot remaining unsold, but taxes may be assessed against any town lot sold as herein provided, and the same shall constitute a lien upon the interest of the purchaser therein after any payment thereon has been made by him, and if forfeiture of any lot be made all taxes assessed against such lot shall be paid out of any money paid thereon by the purchaser.

18. The surveyors may select and locate a cemetery within suitable distance from each town, to embrace such number of acres as may be deemed necessary for such purpose, and the appraisal commission shall appraise the same at not less than twenty dollars per acre, and the town may purchase the land by paying the appraised value thereof; and if any citizen have improvements thereon, other than fencing and tillage, they shall be appraised by said commission and paid for by the town. The town authorities shall dispose of the lots in such cemetery at reasonable prices, in suitable sizes for burial purposes, and the proceeds thereof shall be applied to the general improvement of the property.

19. The United States may purchase, in any town in the Creek Nation, suitable land for court-houses, jails, and other necessary public buildings for its use, by paying the appraised value thereof, the same to be selected under the direction of the department for whose use such buildings are to be erected; and if any person have improvements thereon, other than temporary buildings, fencing, and tillage, the same shall be appraised and paid for by the United States.

20. Henry Kendall College, Nazareth Institute and Spaulding Institute, in Muskogee, may purchase the parcels of land occupied by them, or which may have been laid out for their use and so designated upon the plat of said town, at one-half of their appraised value, upon conditions herein provided; and all other schools and institutions of learning located in incorporated towns in the Creek Nation may, in like manner, purchase the lots or parcels of land occupied by them.

21. All town lots or parts of lots, not exceeding fifty by one hundred and fifty feet in size, upon which church houses and parsonages have been erected, and which are occupied as such at the time of appraisement, shall be properly conveyed to the churches to which such improvements belong gratuitously, and if such churches have other adjoining lots inclosed, actually necessary for their use, they may purchase the same by paying one-half the appraised value thereof.

22. The towns of Clarksville, Coweta, Gibson Station and Mounds may be surveyed and laid out in town lots and necessary streets and alleys, and platted as other towns, each to embrace such amount of land as may be deemed necessary, not exceeding one hundred and sixty acres for either, and in manner not to include or interfere with the allotment of any citizen selected prior to the date of this agreement, which survey may be made in manner provided for other towns; and the appraisement of the town lots of said towns may be made by any committee appointed for either of the other towns hereinbefore named, and the lots in said towns may be disposed of in like manner and on the same conditions and terms as those of other towns. All of such work may be done under the direction of and subject to the approval of the Secretary of the Interior.

TITLES.

23. Immediately after the ratification of this agreement by Congress and the tribe, the Secretary of the Interior shall furnish the principal chief with blank deeds necessary for all conveyances herein provided for, and the principal chief shall thereupon proceed to execute in due form and deliver to each citizen who has selected or may hereafter select his allotment, which is not contested, a deed conveying to him all right, title, and interest of the Creek Nation and of all other citizens in and to the lands embraced in his allotment certificate, and such other lands as may have been selected by him for equalization of his allotment.

The principal chief shall, in like manner and with like effect, execute and deliver to proper parties deeds of conveyance in all other cases herein provided for. All lands or town lots to be conveyed to any one person shall, so far as practicable, be included in one deed, and all deeds shall be executed free of charge.

All conveyances shall be approved by the Secretary of the Interior, which shall serve as a relinquishment to the grantee of all the right, title, and interest of the United States in and to the lands embraced in his deed.

Any allottee accepting such deed shall be deemed to assent to the allotment and conveyance of all the lands of the tribe, as provided herein, and as a relinquishment of all his right, title, and interest in and to the same, except in the proceeds of lands reserved from allotment.

The acceptance of deeds of minors and incompetents, by persons authorized to select their allotments for them, shall be deemed sufficient to bind such minors and incompetents to allotment and conveyance of all other lands of the tribe, as provided herein.

The transfer of the title of the Creek tribe to individual allottees and to other persons, as provided in this agreement, shall not inure to the benefit of any railroad company, nor vest in any railroad company, any right, title, or interest in or to any of the lands in the Creek Nation.

All deeds when so executed and approved shall be filed in the office of the Dawes Commission, and there recorded without expense to the grantee, and such records shall have like effect as other public records.

RESERVATIONS.

24. The following lands shall be reserved from the general allotment herein provided for:

- (a) All lands herein set apart for town-sites.
- (b) All lands to which, at the date of the ratification of this agreement, any railroad company may, under treaty or act of Congress, have a vested right for right of way, depots, station grounds, water stations, stock yards, or similar uses connected with the maintenance and operation of the railroad.
- (c) Forty acres for the Eufaula High School.
- (d) Forty acres for the Wealaka Boarding School.
- (e) Forty acres for the Newyaka Boarding School.
- (f) Forty acres for the Wetumka Boarding School.
- (g) Forty acres for the Euchee Boarding School.
- (h) Forty acres for the Coweta Boarding School.
- (i) Forty acres for the Creek Orphan Home.
- (j) Forty acres for the Tallahassee Colored Boarding School.
- (k) Forty acres for the Pecan Creek Colored Boarding School.
- (l) Forty acres for the Colored Creek Orphan Home.
- (m) All lands selected for town cemeteries, as herein provided.
- (n) The lands occupied by the university established by the American Baptist Home Mission Society, and located near the town of Muskogee, to the amount of forty acres, which shall be appraised, excluding improvements thereon, and said university shall have the right to purchase the same by paying one-half the appraised value thereof, on terms and conditions herein provided. All improvements made by said university on lands in excess of said forty acres shall be appraised and the value thereof paid to it by the person to whom such lands may be allotted.

(o) One acre each for the six established Creek court-houses with the improvements thereon.

(p) One acre each for all churches and schools outside of towns now regularly used as such.

All reservations under the provisions of this agreement, except as otherwise provided herein, when not needed for the purposes for which they are at present used; shall be sold at public auction to the highest bidder, to citizens only, under directions of the Secretary of the Interior.

MUNICIPAL CORPORATIONS.

25. Authority is hereby conferred upon municipal corporations in the Creek Nation, with the approval of the Secretary of the Interior, to issue bonds and borrow money thereon for sanitary purposes, and for the construction of sewers, lighting plants, waterworks, and school houses, subject to all the provisions of laws of the United States in force in the organized Territories of the United States in reference to municipal indebtedness and issuance of bonds for public purposes; and said provisions of law are hereby put in force in said nation and made applicable to the cities and towns therein the same as if specially enacted in reference thereto.

CLAIMS.

26. All claims of whatsoever nature, including the "Loyal Creek claim" under Article Four of the treaty of eighteen hundred and sixty-six, and the "Self-immigration claim" under Article Twelve of the treaty of eighteen hundred and thirty-two, which the tribe or any individual thereof may have against the United States, or any other claim arising under the treaty of eighteen hundred and sixty-six, or any claim which the United States may have against said tribe, shall be submitted to the Senate of the United States for determination: and within two years from the ratification of this agreement the Senate shall make final determination thereof; and in the event that any sums are awarded the said tribe, or any citizen thereof, provision shall be made for immediate payment of same.

Of these claims the "Loyal Creek claim," for what they suffered because of their loyalty to the United States Government during the civil war, long delayed, is so urgent in its character that the parties to this agreement express the hope that it may receive consideration and be determined at the earliest practicable moment.

Any other claim which the Creek Nation may have against the United States may be prosecuted in the Court of Claims of the United States, with right of appeal to the Supreme Court; and jurisdiction to try and determine such claim is hereby conferred upon said courts.

FUNDS OF THE TRIBE.

27. All treaty funds of the tribe shall hereafter be capitalized for the purpose of equalizing allotments and for the other purposes provided in this agreement.

ROLLS OF CITIZENSHIP.

28. No person, except as herein provided, shall be added to the rolls of citizenship of said tribe after the date of this agreement, and no person whomsoever shall be added to said rolls after the ratification of this agreement.

All citizens who were living on the first day of April, eighteen hundred and ninety-nine, entitled to be enrolled under section twenty-one of the Act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight, entitled "An Act for the protection of the people of the Indian Territory, and for other purposes," shall be placed upon the rolls to be made by said commission under said Act of Congress, and if any such citizen has died since that time, or may hereafter die, before receiving his allotment of lands and distributive share of all the funds of the tribe, the lands and money to which he would be entitled, if living, shall descend to his heirs according to the laws of descent and distribution of the Creek Nation, and be allotted and distributed to them accordingly.

All children born to citizens so entitled to enrollment, up to and including the first day of July, nineteen hundred, and then living, shall be placed on the rolls made by said commission; and if any such child die after said date, the lands and moneys to which it would be entitled, if living, shall descend to its heirs according to the laws of descent and distribution of the Creek Nation, and be allotted and distributed to them accordingly.

The rolls so made by said commission, when approved by the Secretary of the Interior, shall be the final rolls of citizenship of said tribe, upon which the allotment of all lands and the distribution of all moneys and other property of the tribe shall be made, and to no other persons.

29. Said commission shall have authority to enroll as Creek citizens certain full-blood Creek Indians now residing in the Cherokee Nation, and also certain full-blood Creek Indians now residing in the Creek Nation who have recently removed there from the State of Texas, and the families of full-blood Creeks who now reside in Texas, and such other recognized citizens found on the Creek rolls as might, by reason of non-residence, be excluded from enrollment by section twenty-one of said Act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight: Provided, That such nonresidents shall, in good faith, remove to the Creek Nation before said commission shall complete the rolls of Creek citizens as aforesaid.

MISCELLANEOUS.

30. All deferred payments, under provisions of this agreement, shall constitute a lien in favor of the tribe on the property for which the debt was contracted, and if, at the expiration of two years from the date of payment of the fifteen per centum aforesaid, default in any annual payment has been made, the lien for the payment of all purchase money remaining unpaid may be enforced in the United States court within the jurisdiction of which the town is located in the same manner as vendor's liens are enforced; such suit being brought in the name of the principal chief, for the benefit of the tribe.

31. All moneys to be paid to the tribe under any of the provisions of this agreement shall be paid, under direction of the Secretary of the Interior, into the Treasury of the United States to the credit of the tribe, and an itemized report thereof shall be made monthly to the Secretary of the Interior and to the principal chief.

32. All funds of the tribe, and all moneys accruing under the provisions of this agreement, when needed for the purposes of equalizing allotments or for any other purposes herein prescribed, shall be paid out under the direction of the Secretary of the Interior; and when required for per capita payments, if any, shall be paid out directly to each individual by a bonded officer of the United States, under direction of the Secretary of the Interior, without unnecessary delay.

33. No funds belonging to said tribe shall hereafter be used or paid out for any purposes by any officer of the United States without

consent of the tribe, expressly given through its national council, except as herein provided.

34. The United States shall pay all expenses incident to the survey, platting, and disposition of town lots, and of allotment of lands made under the provisions of this agreement, except where the town authorities have been or may be duly authorized to survey and plat their respective towns at the expense of such town.

35. Parents shall be the natural guardians of their children, and shall act for them as such unless a guardian shall have been appointed by a court having jurisdiction; and parents so acting shall not be required to give bond as guardians unless by order of such court; but they, and all other persons having charge of lands, moneys, and other property belonging to minors and incompetents, shall be required to make proper accounting therefor in the court having jurisdiction thereof in manner deemed necessary for the preservation of such estates.

36. All Seminole citizens who have heretofore settled and made homes upon lands belonging to the Creeks may there take, for themselves and their families, such allotments as they would be entitled to take of Seminole lands, and all Creek citizens who have heretofore settled and made homes upon lands belonging to Seminoles may there take, for themselves and their families, allotments of one hundred and sixty acres each, and if the citizens of one tribe thus receive a greater number of acres than the citizens of the other, the excess shall be paid for by such tribe, at a price to be agreed upon by the principal chiefs of the two tribes, and if they fail to agree, the price shall be fixed by the Indian agent, but the citizenship of persons so taking allotments shall in no wise be affected thereby.

Titles shall be conveyed to Seminoles selecting allotments of Creek lands in manner herein provided for conveyance of Creek allotments, and titles shall be conveyed to Creeks selecting allotments of Seminole lands in manner provided in the Seminole agreement, dated December sixteenth, eighteen hundred and ninety-seven, for conveyance of Seminole allotments: Provided, That deeds shall be executed to allottees immediately after selection of allotment is made.

This provision shall not take effect until after it shall have been separately and specifically approved by the Creek national council and by the Seminole general council; and if not approved by either, it shall fail altogether, and be eliminated from this agreement without impairing any other of its provisions.

37. Creek citizens may rent their allotments, when selected, for a term not exceeding one year, and after receiving title thereto without restriction, if adjoining allottees are not injured thereby, and cattle grazed thereon shall not be liable to any tribal tax; but when cattle are introduced into the Creek Nation and grazed on lands not selected by citizens, the Secretary of the Interior is authorized to collect from the owners thereof a reasonable grazing tax for the benefit of the tribe; and section twenty-one hundred and seventeen, Revised Statutes of the United States, shall not hereafter apply to Creek lands.

38. After any citizen has selected his allotment he may dispose of any timber thereon, but if he dispose of such timber, or any part of same, he shall not thereafter select other lands in lieu thereof, and his allotment shall be appraised as if in condition when selected.

No timber shall be taken from lands not so selected, and disposed of, without payment of reasonable royalty thereon, under contract to be prescribed by the Secretary of the Interior.

39. No noncitizen renting lands from a citizen for agricultural purposes, as provided by law, whether such lands have been selected as an allotment or not, shall be required to pay any permit tax.

40. The Creek school fund shall be used, under direction of the Secretary of the Interior, for the education of Creek citizens, and the Creek schools shall be conducted under rules and regulations prescribed by him, under direct supervision of the Creek school superintendent and a supervisor appointed by the Secretary, and under Creek laws, subject to such modifications as the Secretary of the Interior may deem necessary to make the schools most effective and to produce the best possible results.

All teachers shall be examined by or under direction of said superintendent and supervisor, and competent teachers and other persons to be engaged in and about the schools with good moral character only shall be employed, but where all qualifications are equal preference shall be given to citizens in such employment.

All moneys for running the schools shall be appropriated by the Creek national council, not exceeding the amount of the Creek school

fund, seventy-six thousand four hundred and sixty-eight dollars and forty cents; but if it fail or refuse to make the necessary appropriations the Secretary of the Interior may direct the use of a sufficient amount of the school funds to pay all expenses necessary to the efficient conduct of the schools, strict account thereof to be rendered to him and to the principal chief.

All accounts for expenditures in running the schools shall be examined and approved by said superintendent and supervisor, and also by the general superintendent of Indian schools, in Indian Territory, before payment thereof is made.

If the superintendent and supervisor fail to agree upon any matter under their direction or control, it shall be decided by said general superintendent, subject to appeal to the Secretary of the Interior; but his decision shall govern until reversed by the Secretary.

41. The provisions of section thirteen of the Act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight, entitled "An Act for the protection of the people of the Indian Territory, and for other purposes," shall not apply to or in any manner affect the lands or other property of said tribe, or be in force in the Creek Nation, and no Act of Congress or treaty provision inconsistent with this agreement shall be in force in said nation, except section fourteen of said last-mentioned Act, which shall continue in force as if this agreement had not been made.

42. No act, ordinance, or resolution of the national council of the Creek Nation in any manner affecting the lands of the tribe, or of individuals after allotment, or the moneys or other property of the tribe, or of the citizens thereof, except appropriations for the necessary incidental and salaried expenses of the Creek government as herein limited, shall be of any validity until approved by the President of the United States. When any such act, ordinance, or resolution shall be passed by said council and approved by the principal chief, a true and correct copy thereof, duly certified, shall be immediately transmitted to the President, who shall, within thirty days after received by him, approve or disapprove the same. If disapproved, it shall be so indorsed and returned to the principal chief; if approved, the approval shall be indorsed thereon, and it shall be published in at least two newspapers having a bona fide circulation in the Creek Nation.

43. The United States agrees to maintain strict laws in said nation against the introduction, sale, barter, or giving away of liquors or intoxicants of any kind whatsoever.

44. This agreement shall in no wise affect the provisions of existing treaties between the United States and said tribe except so far as inconsistent therewith.

45. All things necessary to carrying into effect the provisions of this agreement, not otherwise herein specifically provided for, shall be done under authority and direction of the Secretary of the Interior.

46. The tribal government of the Creek Nation shall not continue longer than March fourth, nineteen hundred and six, subject to such further legislation as Congress may deem proper.

47. Nothing contained in this agreement shall be construed to revive or re-establish the Creek courts which have been abolished by former Acts of Congress.

Approved March 1, 1901.

THE SEMINOLE AGREEMENT.

An act to ratify the agreement between the Dawes Commission and the Seminole Nation of Indians.

Whereas an agreement was made by Henry L. Dawes, Tams Bixby, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Needles, the Commission of the United States to the Five Civilized Tribes, and Allison L. Aylesworth, secretary, John F. Brown, Okchan Harjo, William Cully, K. N. Kinkehee, Thomas West, Thomas Factor, Seminole Commission, A. J. Brown, secretary, on the part of the Seminole Nation of Indians on December 16, 1897, as follows:

AGREEMENT BETWEEN THE UNITED STATES COMMISSIONERS TO NEGOTIATE WITH THE FIVE CIVILIZED TRIBES, AND THE COMMISSIONERS ON THE PART OF THE SEMINOLE NATION.

This agreement by and between the Government of the United States of the first part, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Tams Bixby, Frank C. Armstrong, Archibald S. McKennon, and Thomas B. Needles, duly appointed and authorized thereunto, and the Government of the Seminole Nation in Indian Territory, of the second part, entered into on behalf of said government by its commission, duly appointed and authorized thereunto, viz., John F. Brown, Okchan Harjo, William Cully, K. N. Kinkehee, Thomas West, and Thomas Factor:

Witnesseth, That in consideration of the mutual undertakings herein contained, it is agreed as follows:

All lands belonging to the Seminole tribe of Indians shall be divided into three classes, designated as first, second and third class; the first class to be appraised at five dollars, the second class at two dollars and fifty cents, and the third class at one dollar and twenty-five cents per acre, and the same shall be divided among the members of the tribe so that each shall have an equal share thereof in value, so far as may be, the location and fertility of the soil considered; giving to each the right to select his allotment so as to include any improvements thereon, owned by him at the time; and each allottee shall have the sole right of occupancy of the land so allotted to him, during the existence of the present tribal government, and until the members of said tribe shall have become citizens of the United States. Such allotments shall be made under the direction and supervisor of the commission to the Five Civilized Tribes in connection with a representative appointed by the tribal government; and the chairman of said commission shall execute and deliver to each allottee a certificate describing therein the land allotted to him.

All contracts for sale, disposition or encumbrance of any part of any allotment made prior to date of patent shall be void.

Any allottee may lease his allotment for any period not exceeding six years, the contract therefor to be executed in triplicate upon printed blanks provided by the tribal government, and before the same shall become effective it shall be approved by the principal chief and a copy filed in the office of the clerk of the United States court at Wewoka.

No lease of any coal, mineral, coal oil, or natural gas within said nation shall be valid unless made with the tribal government, by and with the consent of the allottee and approved by the Secretary of the Interior.

Should there be discovered on any allotment any coal, mineral, coal oil, or natural gas, and the same should be operated so as to produce royalty, one-half of such royalty shall be paid to such allottee and the remaining half into the tribal treasury until extinguishment of tribal government, and the latter shall be used for the purpose of equalizing the value of allotments; and if the same be insufficient therefor, any other funds belonging to the tribe, upon extinguishment of tribal government, may be used for such purpose, so that each allotment may be made equal in value as aforesaid.

The townsite of Wewoka shall be controlled and disposed of according to the provisions of an act of the General Council of the Seminole Nation, approved April 23, 1897, relative thereto; and on extinguishment of the tribal government, deeds of conveyance shall issue

THE INDIAN TERRITORY.

to owners of lots as herein provided for allottees; and all lots remaining unsold at that time may be sold in such manner as may be prescribed by the Secretary of the Interior.

Five hundred thousand dollars (\$500,000) of the funds belonging to the Seminoles, now held by the United States, shall be set apart as a permanent school fund for the education of children of the members of said tribe, and shall be held by the United States at five per cent interest, or invested so as to produce such amount of interest, which shall be, after extinguishment of tribal government, applied by the Secretary of the Interior to the support of Mekasuky and Emahaka Academies and the district schools of the Seminole people; and there shall be selected and excepted from allotment 320 acres of land for each of said academies and eighty acres each for eight district schools in the Seminole country.

There shall also be excepted from allotment one-half acre for the use and occupancy of each of twenty-four churches, including those already existing and such others as may hereafter be established in the Seminole country, by and with consent of the General Council of the nation; but should any of same, at any time, cease to be used for church purposes, such part shall at once revert to the Seminole people and be added to the lands set apart for the use of said district schools.

One acre in each township shall be excepted from allotment and the same may be purchased by the United States upon which to establish schools for the education of children of non-citizens when deemed expedient.

When the tribal government shall cease to exist the principal chief last elected by said tribe shall execute, under his hand and the seal of the nation, and deliver to each allottee a deed conveying to him all the right, title, and interest of the said nation and the members thereof in and to the lands so allotted to him, and the Secretary of the Interior shall approve such deed, and the same shall thereupon operate as relinquishment of the right, title and interest of the United States in and to the land embraced in said conveyance, and as a guarantee by the United States of the title to the allottee; and the acceptance of such deed by the allottee shall be a relinquishment of his title to and interest in all other lands belonging to the tribe, except such as may have been excepted from allotment and held in common for other purposes. Each allottee shall designate one tract of forty acres, which shall, by the terms of the deed, be made inalienable and non-taxable as a homestead in perpetuity.

All moneys belonging to the Seminoles remaining after equalizing the value of allotments as herein provided and reserving said sum of \$500,000 for school fund shall be paid per capita to the members of said tribe in three equal installments, the first to be made as soon as convenient after allotment and extinguishment of tribal government, and the others at one and two years, respectively. Such payments shall be made by a person appointed by the Secretary of the Interior, who shall prescribe the amount of and approve the bond to be given by such person; and strict account shall be given to the Secretary of the Interior for such disbursements.

The loyal Seminole claim shall be submitted to the United States Senate, which shall make final determination of same, and, if sustained, shall provide for payment thereof within two years from date hereof.

There shall hereafter be held at the town of Wewoka, the present capital of the Seminole Nation, regular terms of the United States court as at other points in the judicial district of which the Seminole Nation is a part.

The United States agrees to maintain strict laws in the Seminole country against the introduction, sale, barter, or giving away of intoxicants of any kind or quality.

This agreement shall in no wise affect the provisions of existing treaties between the Seminole Nation and the United States, except in so far as it is inconsistent therewith.

The United States courts now existing, or that may hereafter be created, in Indian Territory, shall have exclusive jurisdiction of all controversies growing out of the title, ownership, occupation, or use of real estate owned by the Seminoles, and to try all persons charged with homicide, embezzlement, bribery, and embracery hereafter committed in the Seminole country, without reference to race or citizenship of the persons charged with such crime; and any citizen or officer of said nation charged with any such crime, if convicted, shall be punished as if he were a citizen or officer of the United States, and the courts of said nation shall retain all the jurisdiction which they

now have, except as herein transferred to the courts of the United States.

When this agreement is ratified by the Seminole Nation and the United States the same shall serve to repeal all the provisions of the act of Congress approved June 7, 1897, in any manner affecting the proceedings of the general council of the Seminole Nation.

It being known that the Seminole Reservation is insufficient for allotments for the use of the Seminole people, upon which they, as citizens, holding in severalty, may reasonably and adequately maintain their families, the United States will make effort to purchase from the Creek Nation, at \$1.25 per acre, 200,000 acres of land, immediately adjoining the eastern boundary of the Seminole Reservation and lying between the North Fork and the South Fork of the Canadian River, in trust for and to be conveyed by proper patent by the United States to the Seminole Indians, upon said sum of \$1.25 per acre being reimbursed to the United States by said Seminole Indians; the same to be allotted as herein provided for lands now owned by the Seminoles.

This agreement shall be binding on the United States when ratified by Congress and on the Seminole people when ratified by the General Council of the Seminole Nation.

Approved July 1, 1898.

CURTIS ACT, EMBODYING THE ATOKA AGREEMENT.

An act for the protection of the people of the Indian Territory, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all criminal prosecutions in the Indian Territory against officials for embezzlement, bribery, and embracery the word "officer," when the same appears in the criminal laws heretofore extended over and put in force in said territory, shall include all officers of the several tribes or nations of Indians in said territory.

Sec. 2. That when in the progress of any civil suit, either in law or equity, pending in the United States court in any district in said territory, it shall appear to the court that the property of any tribe is in any way affected by the issues being heard, said court is hereby authorized and required to make said tribe a party to said suit by service upon the chief or governor of the tribe, and the suit shall thereafter be conducted and determined as if said tribe had been an original party to said action.

Sec. 3. That said courts are hereby given jurisdiction in their respective districts to try cases against those who may claim to hold as members of a tribe and whose membership is denied by the tribe, but who continue to hold said lands and tenements notwithstanding the objection of the tribe; and if it be found upon trial that the same are held unlawfully against the tribe by those claiming to be members thereof, and the membership and right are disallowed by the commission to the Five Tribes, or the United States court, and the judgment has become final, then said court shall cause the parties charged with unlawfully holding said possessions to be removed from the same and cause the lands and tenements to be restored to the person or persons or nation or tribe of Indians entitled to the possession of the same; Provided always, That any person being a noncitizen in possession of lands, holding the possession thereof under an agreement, lease, or improvement contract with either of said nations or tribes, or any citizen thereof, executed prior to January 1, 1898, may, as to lands not exceeding in amount 160 acres, in defense of any action for the possession of said lands show that he is and has been in peaceable possession of such lands, and that he has while in such possession made lasting and valuable improvements thereon, and that he has not enjoyed the possession thereof a sufficient length of time to compensate him for such improvements. Thereupon the court or jury trying said cause shall determine the fair and reasonable value of such improvements and the fair and reasonable rental value of such lands for the time the same shall have been occupied by such person, and if the improvements exceed in value the amount of rents with which such person should be charged the court, in its judgment, shall specify such time as will, in the opinion of the court, compensate such person for the balance due, and award him possession for such time unless the amount be paid by claimant within such reasonable time as the court shall specify. If the finding be that the amount of rents exceed the value of the improvements, judgment shall be rendered against the defendant for such sum, for which execution may issue.

Sec. 4. That all persons who have heretofore made improvements on lands belonging to any one of the said tribes of Indians, claiming rights of citizenship, whose claims have been decided adversely under the act of Congress approved July 10, 1896, shall have possession thereof until and including December 31, 1898; and may, prior to that time, sell or dispose of the same to any member of the tribe owning the land who desires to take the same in his allotment. Provided, That this section shall not apply to improvements which have been appraised and paid for, or payment tendered by the Cherokee Nation under the agreement with the United States approved by Congress March 3, 1893.

Sec. 5. That before any action by any tribe or person shall be commenced under section three of this act it shall be the duty of the

party bringing the same to notify the adverse party to leave the premises for the possession of which the action is about to be brought, which notice shall be served at least thirty days before commencing the action by leaving a written copy with the defendant, or if he can not be found, by leaving the same at his last known place of residence or business with any person occupying the premises over the age of twelve years, or, if his residence or business address can not be ascertained, by leaving the same with any person over the age of twelve years upon the premises sought to be recovered and described in said notice; and if there be no person with whom said notice can be left, then by posting same on the premises.

Sec. 6. That the summons shall not issue in such action until the chief or governor of the tribe, or person or persons bringing suit in his own behalf, shall have filed a sworn complaint, on behalf of the tribe or himself, with the court, which shall, as near as practicable, describe the premises so detained, and shall set forth a detention without the consent of the person bringing said suit or the tribe, by one whose membership is denied by it: Provided, That if the chief or governor refuse or fail to bring suit in behalf of the tribe then any member of the tribe may make complaint and bring said suit.

Sec. 7. That the court in granting a continuance of any case, particularly under section three, may, in its discretion, require the party applying therefor to give an undertaking to the adverse party, with good and sufficient securities, to be approved by the judge of the court, conditioned for the payment of all damages and costs and defraying the rent which may accrue if judgment be rendered against him.

Sec. 8. That when a judgment for restitution shall be entered by the court the clerk shall, at the request of the plaintiff or his attorney, issue a writ of execution thereon, which shall command the proper officer of the court to cause the defendant or defendants to be forthwith removed and ejected from the premises and the plaintiff given complete and undisturbed possession of the same. The writ shall also command the said officer to levy upon the property of the defendant or defendants subject to execution, and also collect therefrom the costs of the action and all accruing costs in the service of the writ. Said writ shall be executed within thirty days.

Sec. 9. That the jurisdiction of the court and municipal authority of the city of Fort Smith for police purposes in the State of Arkansas is hereby extended over all that strip of land in the Indian Territory lying and being situate between the corporate limits of the said city of Fort Smith and the Arkansas and Poteau Rivers, and extending up the said Poteau River to the mouth of Mill Creek; and all the laws and ordinances for the preservation of the peace and health of said city, as far as the same are applicable, are hereby put in force therein: Provided, That no charge or tax shall ever be made or levied by said city against said land or the tribe or nation to whom it belongs.

Sec. 10. That all actions for restitution of possession of real property under this act must be commenced by the service of a summons within two years after the passage of this act, where the wrongful detention or possession began prior to the date of its passage; and all actions which shall be commenced hereafter, based upon wrongful detention or possession committed since the passage of this act must be commenced within two years after the cause of action accrued. And nothing in this act shall take away the right to maintain an action for unlawful and forcible entry and detainer given by the act of Congress passed May 2, 1890 (Twenty-sixth United States Statutes, page ninety-five.)

Sec. 11. That when the roll of citizenship of any one of said nations or tribes is fully completed as provided by law, and the survey of the lands of said nation or tribe is also completed, the commission heretofore appointed under acts of Congress, and known as the "Dawes Commission," shall proceed to allot the exclusive use and occupancy of the surface of all the lands of said nation or tribe susceptible of allotment among the citizens thereof, as shown by said roll, giving to each, so far as possible, his fair and equal share thereof, considering the nature and fertility of the soil, location and value of same; but all oil, coal, asphalt and mineral deposits in the lands of any tribe are reserved to such tribe, and no allotment of such lands shall carry the title to such oil, coal, asphalt or mineral deposits; and all town sites shall also be reserved to the several tribes, and shall be set apart by the commission heretofore mentioned as incapable of allotment. There shall also be reserved from allotment a sufficient amount of lands now occupied by churches, schools, parsonages, char-

itable institutions, and other public buildings, for their present actual and necessary use, and no more, not to exceed five acres for each school and one acre for each church and each parsonage, and for such new schools as may be needed; also sufficient land for burial grounds where necessary. When such allotment of the lands of any tribe has been by them completed, said commission shall make full report thereof to the Secretary of the Interior for his approval: Provided, That nothing herein contained shall in any way affect any vested legal rights which may have been heretofore granted by act of Congress, nor be so construed as to confer any additional rights upon any parties claiming under any such act of Congress: Provided further, That whenever it shall appear that any member of a tribe is in possession of lands, his allotment may be made out of the lands in his possession, including his home if the holder so desires: Provided further, That if the person to whom an allotment shall have been made shall be declared, upon appeal as herein provided for, by any of the courts of the United States in or for the aforesaid territory, to have been illegally accorded rights of citizenship, and for that or any other reason declared to be not entitled to any allotment, he shall be ousted and ejected from said lands; that all persons known as intruders who have been paid for their improvements under existing laws and have not surrendered possession thereof who may be found under the provisions of this act to be entitled to citizenship, shall, within ninety days thereafter, refund the amount so paid them, with six per centum interest to the tribe entitled thereto; and upon their failure so to do said amount shall become a lien upon all improvements owned by such person in such territory, and may be enforced by such tribe; and unless such person makes such restitution no allotments shall be made to him: Provided further, That the lands allotted shall be nontransferrable until after full title is acquired and shall be liable for no obligations contracted prior thereto by the allottee, and shall be non-taxable while so held: Provided further, That all towns and cities heretofore incorporated or incorporated under the provisions of this act are hereby authorized to secure, by condemnation or otherwise, all the lands actually necessary for public improvements, regardless of tribal lines; and when the same can not be secured otherwise than by condemnation, then the same may be acquired as provided in sections 907 and 912, inclusive, of Mansfield's Digest of the Statutes of Arkansas.

Sec. 12. That when report of allotments of lands of any tribe shall be made to the Secretary of the Interior, as hereinbefore provided, he shall make a record thereof, and when he shall confirm such allotments the allottees shall remain in peaceable and undisturbed possession thereof, subject to the provisions of this act.

Sec. 13. That the Secretary of the Interior is hereby authorized and directed from time to time to provide rules and regulations in regard to the leasing of oil, coal, asphalt, and other minerals in said territory, and all such leases shall be made by the Secretary of the Interior; and any lease for any such minerals otherwise made shall be absolutely void. No lease shall be made or renewed for a longer period than fifteen years, nor cover the mineral in more than 640 acres of land, which shall conform as nearly as possible to the surveys. Lessees shall pay on each oil, coal, asphalt, or other mineral claim, at the rate of \$100 per annum, in advance, for the first and second years; \$200 per annum, in advance for the third and fourth years, and \$500 in advance, for each succeeding year thereafter, as advanced royalty on the mine or claim on which they are made. All such payments shall be a credit on royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments; and all lessees must pay said annual advanced payments on each claim, whether developed or undeveloped; and should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made becomes null and void, and the royalties paid in advance shall then become and be the money and property of the tribe. Where any oil, coal, asphalt, or other mineral is hereafter opened on land allotted, sold, or reserved, the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under the direction of the Secretary of the Interior and paid to the allottee or owner of the land, by the lessee or party operating the same, before operations begin: Provided, That nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt, or mineral which have been assented to by act of Congress, but all such interest shall continue

unimpaired hereby, and shall be assured to such holders or owners by leases from the Secretary of the Interior for the term not exceeding fifteen years, but subject to payment of advance royalties as herein provided, when such leases are not operated, to the rate of royalty on coal mined, and the rules and regulations to be prescribed by the Secretary of the Interior, and preference shall be given to such parties in renewals of such leases: And provided further, That when, under the customs and laws heretofore existing and prevailing in the Indian Territory, leases have been made of different groups or parcels of oil, coal, asphalt, or other mineral deposits, and possession has been taken thereunder and improvements made for the development of such of oil, coal, asphalt, or other mineral deposits by lessees or their assigns which have resulted in the production of oil, coal, asphalt, or other mineral in commercial quantities by such lessees or their assigns, then such parties in possession shall be given preference in the making of new leases, in compliance with the directions of the Secretary of the Interior; and in making new leases due consideration shall be made for the improvements of such lessees, and in all cases of the leasing or renewal of leases of oil, coal, asphalt, and other mineral deposits preference shall be given to parties in possession who have made improvements. The rate of royalty to be paid by all lessees shall be fixed by the Secretary of the Interior.

Sec. 14. That the inhabitants of any city or town in said territory having two hundred or more residents therein may proceed, by petition to the United States court in the district in which such city or town is located, to have the same incorporated as provided in chapter twenty-nine of Mansfield's Digest of the Statutes of Arkansas, if not already incorporated thereunder; and the clerk of said court shall record all papers and perform all the acts required of the recorder of the county, or the clerk of the county court, or the secretary of state, necessary for the incorporation of any city or town, as provided in Mansfield's Digest, and such city or town government, when so authorized and organized, shall possess all the powers and exercise all the rights of similar municipalities in said State of Arkansas. All male inhabitants of such cities and towns over the age of twenty-one years, who are citizens of the United States or of either of said tribes, who have resided therein more than six months next before any election held under this act, shall be qualified voters at such election. That mayors of such cities and towns, in addition to their other powers, shall have the same jurisdiction in all civil and criminal cases arising within the corporate limits of such cities and towns as, and coextensive with, United States commissioners in the Indian Territory, and may charge, collect, and retain the same fees as such commissioners now collect and account for to the United States; and the marshal or other executive officer of such city or town may execute all processes issued in the exercise of the jurisdiction hereby conferred, and charge and collect the same fees for similar services, as are allowed to constables under the laws now in force in said territory.

All elections shall be conducted under the provisions of chapter fifty-six of said digest, entitled "Elections," so far as the same may be applicable; and all inhabitants of such cities and towns, without regard to race, shall be subject to all laws and ordinances of such city or town governments, and shall have equal rights, privileges, and protection therein. Such city or town governments shall in no case have any authority to impose upon or levy any tax against any lands in said cities or towns until after title is secured from the tribe; but all other property, including all improvements on town lots, which for the purposes of this act shall be deemed and considered personal property, together with all occupations and privileges, shall be subject to taxation. And the councils of such cities and towns, for the support of the same and for school and other public purposes, may provide by ordinance for the assessment, levy, and collection annually of a tax upon such property, not to exceed in the aggregate two per centum of the assessed value thereof, in manner provided in chapter 129 of said digest, entitled "Revenue," and for such purposes may also impose a tax upon occupations and privileges.

Such councils may also establish and maintain free schools in such cities and towns, under the provisions of sections 6258 to 6276, inclusive, of said digest, and may exercise all the powers conferred upon special school districts in cities and towns in the State of Arkansas by the laws of said state when the same are not in conflict with the provisions of this act.

For the purposes of this section all the laws of said State of Arkansas herein referred to, so far as applicable are hereby put in force in said territory; and the United States court therein shall have

jurisdiction to enforce the same, and to punish any violation thereof, and the city or town councils shall pass such ordinances as may be necessary for the purpose of making the laws extended over them applicable to them and for carrying the same into effect: Provided, That nothing in this act, or in the laws of the State of Arkansas, shall authorize or permit the sale, or exposure for sale, of any intoxicating liquor in said territory, or the introduction thereof into said territory; and it shall be the duty of the district attorneys in said territory and the officers of such municipalities to prosecute all violators of the laws of the United States relating to the introduction of intoxicating liquors into said territory, or to their sale, or exposure for sale, therein: Provided further, That owners and holders of leases or improvements in any city or town shall be privileged to transfer the same.

Sec. 15. That there shall be a commission in each town for each one of the Chickasaw, Choctaw, Creek, and Cherokee tribes, to consist of one member to be appointed by the executive of the tribe, who shall not be interested in town property, other than his home; one person to be appointed by the Secretary of the Interior, and one member to be selected by the town. And if the executive of the tribe or the town fail to select members as aforesaid, they may be selected and appointed by the Secretary of the Interior.

Said commissions shall cause to be surveyed and laid out town sites where towns with a present population of two hundred or more are located, conforming to the existing survey so far as may be, with proper and necessary streets, alleys, and public grounds, including parks and cemeteries, giving to each town such territory as may be required for its present needs and reasonable prospective growth; and shall prepare correct plats thereof, and file one with the Secretary of the Interior, one with the clerk of the United States court, one with the authorities of the tribe, and one with the town authorities. And all town lots shall be appraised by said commission at their true value, excluding improvements; and separate appraisements shall be made of all improvements thereon and no such appraisement shall be effective until approved by the Secretary of the Interior, and in case of disagreement by the members of such commission as to the value of any lot, said secretary may fix the value thereof.

The owner of the improvements upon any town lot, other than fencing, tillage, or temporary buildings, may deposit in the United States Treasury, Saint Louis, Mo., one-half of such appraised value; ten per centum within two months, and fifteen per centum more within six months after notice of appraisal, and the remainder in three equal annual installments thereafter, depositing with the Secretary of the Interior one receipt for each payment, and one with the authorities of the tribe, and such deposit shall be deemed a tender to the tribe of the purchase money for such lot.

If the owner of such improvements on any lot fails to make deposit of the purchase money as aforesaid, then such lot may be sold in the manner herein provided for the sale of unimproved lots; and when the purchaser thereof has complied with the requirements herein for the purchase of improved lots he may, by petition, apply to the United States court within whose jurisdiction the town is located for condemnation and appraisement of such improvements, and petitioner shall, after judgment, deposit the value so fixed with the clerk of the court; and thereupon the defendant shall be required to accept same in full payment for his improvements or remove same from the lot within such time as may be fixed by the court.

All town lots not improved as aforesaid shall belong to the tribe, and shall be in like manner appraised, and, after approval by the Secretary of the Interior, and due notice, sold to the highest bidder at public auction by said commission, but not for less than their appraised value, unless ordered by the Secretary of the Interior; and purchasers may in like manner make deposits of the purchase money with like effect, as in case of improved lots.

The inhabitants of any town may, within one year after the completion of the survey thereof, make such deposit of ten dollars per acre for parks, cemeteries, and other public grounds laid out by said commission with like effect as for improved lots; and such parks and public grounds shall not be used for any purpose until such deposits are made.

The person authorized by the tribe or tribes may execute or deliver to any such purchaser, without expense to him, a deed conveying to him the title to such lands or town lots; and thereafter the purchase money shall become the property of the tribe and all such moneys shall, when titles to all the lots in the towns belonging to any

tribe have been thus perfected, be paid per capita to the members of the tribe: Provided, however, That in those town sites designated and laid out under the provisions of this act where coal leases are now being operated and coal is being mined there shall be reserved from appraisement and sale all lots occupied by houses of miners actually engaged in mining, and only while they are so engaged, and in addition thereto a sufficient amount of land, to be determined by the appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines and a sufficient amount for all buildings and machinery for mining purposes: And provided further, That when the lessees shall cease to operate said mines, then, and in that event, the lots of land so reserved shall be disposed of as provided for in this act.

Sec. 16. That it shall be unlawful for any person, after the passage of this act, except as hereinafter provided, to claim, demand, or receive, for his own use or for the use of any one else, any royalty on oil, coal, asphalt, or other mineral, or on any timber or lumber, or any other kind of property whatsoever, or any rents on any lands or property belonging to any one of said tribes or nations in said territory, or for any one to pay to any individual any such royalty or rents or any consideration therefor whatsoever; and all royalties and rents hereafter payable to the tribe shall be paid, under such rules and regulations as may be prescribed by the Secretary of the Interior, into the treasury of the United States to the credit of the tribe to which they belong: Provided, That where any citizen shall be in possession of only such amount of agricultural or grazing lands as would be his just and reasonable share of the lands of his nation or tribe and that to which his wife and minor children are entitled, he may continue to use the same or receive the rents thereon until allotment has been made to him: Provided further, That nothing herein contained shall impair the rights of any member of a tribe to dispose of any timber contained on his, her, or their allotment.

Sec. 17. That it shall be unlawful for any citizen of any one of said tribes to inclose or in any manner, by himself or through another, directly or indirectly, to hold possession of any greater amount of lands or other property belonging to any such nation or tribe than that which would be his approximate share of the lands belonging to such nation or tribe and that of his wife and his minor children as per allotment herein provided; and any person found in such possession of lands or other property in excess of his share and that of his family, as aforesaid, or having the same in any manner inclosed, at the expiration of nine months after the passage of this act, shall be deemed guilty of a misdemeanor.

Sec. 18. That any person convicted of violating any of the provisions of sections sixteen and seventeen of this act shall be deemed guilty of a misdemeanor and punished by a fine of not less than one hundred dollars, and shall stand committed until such fine and costs are paid (such commitment not to exceed one day for every two dollars of said fine and costs), and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist shall be deemed a separate offense. And the United States district attorneys in said territory are required to see that the provisions of said sections are strictly enforced and they shall at once proceed to dispossess all persons of such excessive holdings of lands and to prosecute them for so unlawfully holding the same.

Sec. 19. That no payment of any money on any account whatever shall hereafter be made by the United States to any of the tribal governments or to any officer thereof for disbursement, but payments of all sums to members of said tribes shall be made under direction of the Secretary of the Interior by an officer appointed by him; and per capita payments shall be made direct to each individual in lawful money of the United States, and the same shall not be liable to the payment of any previously contracted obligation.

Sec. 20. That the commission hereinbefore named shall have authority to employ, with approval of the Secretary of the Interior, all assistance necessary for the prompt and efficient performance of all duties herein imposed, including competent surveyors to make allotments, and to do any other needed work, and the Secretary of the Interior may detail competent clerks to aid them in the performance of their duties.

Sec. 21. That in making rolls of citizenship of the several tribes as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of 1880 (not including freedmen) as the only roll intended to be confirmed by this and preceding acts of Congress, and to enroll all persons now

living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws.

It shall make a roll of Cherokee freedmen in strict compliance with the decree of the court of claims rendered the 3d day of February, 1896.

Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes.

Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, and to that end they may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.

The roll of Creek freedmen made by J. W. Dunn, under authority of the United States, prior to March 14, 1867, is hereby confirmed, and said commission is directed to enroll all persons now living whose names are found on said rolls, and all descendants born since the date of said roll to persons whose names are found thereon, with such other persons of African descent as may have been rightfully admitted by the lawful authorities of the Creek Nation.

It shall make a correct roll of all Choctaw freedmen entitled to citizenship under the treaties and laws of the Choctaw Nation, and all their descendants born to them since the date of the treaty.

It shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw tribes and their descendants born to them since the date of said treaty and forty acres of land, including their present residences and improvements, shall be allotted to each, to be selected, held, and used by them until their rights under said treaty shall be determined in such manner as shall be hereafter provided by Congress.

The several tribes may, by agreement, determine the right of persons who for any reason may claim citizenship in two or more tribes, and to allotment of lands and distribution of moneys belonging to each tribe; but if no such agreement be made, then such claimant shall be entitled to such rights in one tribe only, and may elect in which tribe he will take such right; but if he fail or refuse to make such selection in due time, he shall be enrolled in the tribe with whom he has resided, and there be given such allotment and distribution, and not elsewhere.

No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship: Provided, however, That nothing contained in this act shall be so construed as to militate against any rights or privileges which the Mississippi Choctaws may have under the laws of or the treaties with the United States.

Said commission shall make such rolls descriptive of the persons thereon, so that they may be thereby identified, and it is authorized to take a census of each of said tribes, or to adopt any other means by them deemed necessary to enable them to make such rolls. They shall have access to all rolls and records of the several tribes, and the United States court in Indian Territory shall have jurisdiction to compel the officers of the tribal governments and custodians of such rolls and records to deliver same to said commission, and on their refusal or failure to do so to punish them for contempt; as also to require all citizens of said tribes, and persons who should be so enrolled, to appear before said commission for enrollment, at such times and places as may be fixed by said commission, and to enforce obedience

of all others concerned, so far as the same may be necessary, to enable said commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work.

The rolls so made, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to tribal laws, shall alone constitute the several tribes which they represent.

The members of said commission shall, in performing all duties required of them by law, have authority to administer oaths, examine witnesses, and send for persons and papers; and any person who shall willfully and knowingly make any false affidavit or oath to any material fact or matter before any member of said commission, or before any other officer authorized to administer oaths, to any affidavit or other paper to be filed or oath taken before said commission, shall be deemed guilty of perjury, and on conviction thereof shall be punished as for such offense.

Sec. 22. That where members of one tribe, under intercourse laws, usages, or customs, have made homes within the limits and on the lands of another tribe they may retain and take allotment, embracing same under such agreement as may be made between such tribes respecting such settlers; but if no such agreement be made the improvements so made shall be appraised, and the value thereof, including all damages incurred by such settler incident to enforced removal, shall be paid to him immediately upon removal, out of any funds belonging to the tribe, or such settler, if he so desire, may make private sale of his improvements to any citizen of the tribe owning the lands: Provided, That he shall not be paid for improvements made on lands in excess of that to which he, his wife, and minor children are entitled to under this act.

Sec. 23. That all leases of agricultural or grazing land belonging to any tribe made after the 1st day of January, 1898, by the tribe or any member thereof shall be absolutely void, and all such grazing leases made prior to said date shall terminate on the 1st day of April, 1899, and all such agricultural leases shall terminate on January 1, 1900; but this shall not prevent individuals from leasing their allotments when made to them as provided in this act, nor from occupying or renting their proportionate shares of the tribal lands until the allotments herein provided for are made.

Sec. 24. That all moneys paid into the United States Treasury at Saint Louis, Mo., under provision of this act shall be placed to the credit of the tribe to which they belong; and the assistant United States treasurer shall give triplicate receipts therefor to the depositor.

Sec. 25. That before any allotment shall be made of lands in the Cherokee Nation, there shall be segregated therefrom by the commission heretofore mentioned, in separate allotments or otherwise, the 157,600 acres purchased by the Delaware tribe of Indians from the Cherokee Nation under agreement of April 8, 1867, subject to the judicial determination of the rights of said descendants and the Cherokee Nation under said agreement. That the Delaware Indians residing in the Cherokee Nation are hereby authorized and empowered to bring suit in the court of claims of the United States, within sixty days after the passage of this act, against the Cherokee Nation, for the purpose of determining the rights of said Delaware Indians in and to the lands and funds of said nation under their contract and agreement with the Cherokee Nation dated April 8, 1867; or the Cherokee Nation may bring a like suit against said Delaware Indians; and jurisdiction is conferred on said court to adjudicate and fully determine the same, with right of appeal to either party to the supreme court of the United States.

Sec. 26. That on and after the passage of this act the laws of the various tribes or nations of Indians shall not be enforced at law or in equity by the courts of the United States in the Indian Territory.

Sec. 27. That the Secretary of the Interior is authorized to locate one Indian inspector in Indian Territory, who may, under his authority and direction, perform any duties required of the Secretary of the Interior by law, relating to affairs therein.

Sec. 28. That on the 1st day of July, 1898, all tribal courts in Indian Territory shall be abolished, and no officer of said courts shall thereafter have any authority whatever to do or perform any act theretofore authorized by any law in connection with said courts, or to receive any pay for same; and all civil and criminal causes then pending in any such court shall be transferred to the United States court in said territory by filing with the clerk of the court the origi-

nal papers in the suit: Provided, That this section shall not be in force as to the Chickasaw, Choctaw and Creek tribes or nations until the 1st day of October, 1898.

THE ATOKA AGREEMENT.

Sec. 29. That the agreement made by the Commission to the Five Civilized Tribes with commissions representing the Choctaw and Chickasaw tribes of Indians on the 23d day of April, 1897, as herein amended, is hereby ratified and confirmed, and the same shall be of full force and effect if ratified before the 1st day of December, 1898, by a majority of the whole number of votes cast by the members of said tribes at an election held for that purpose; and the executives of said tribes are hereby authorized and directed to make public proclamation that said agreement shall be voted on at the next general election, or at any special election to be called by such executives for the purpose of voting on said agreement; and at the election held for such purpose all male members of each tribe qualified to vote under his tribal laws shall have the right to vote at election precinct most convenient to his residence, whether the same be within the bounds of his tribe or not: Provided, That no person whose right to citizenship in either of said tribes or nations is now contested in original or appellate proceedings before any United States court shall be permitted to vote at said election: Provided further, That the votes cast in both said tribes or nations shall be forthwith returned duly certified by the precinct officers to the national secretaries of said tribes or nations, and shall be presented by said national secretaries to a board of commissioners consisting of the principal chief and national secretary of the Choctaw Nation, the governor and national secretary of the Chickasaw Nation, and a member of the Commission to the Five Civilized Tribes, to be designated by the chairman of said commission; and said board shall meet without delay at Atoka, in the Indian Territory, and canvass and count said votes and make proclamation of the result; and if said agreement as amended be so ratified, the provisions of this act shall then only apply to said tribes where the same do not conflict with the provisions of said agreement; but the provisions of said agreement, if so ratified, shall not in any manner affect the provisions of section fourteen of this act, which said amended agreement is as follows:

This agreement, by and between the Government of the United States, of the first part, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabiniss, and Alexander B. Montgomery, duly appointed and authorized thereunto, and the governments of the Choctaw and Chickasaw tribes or nations, of Indians in the Indian Territory, respectively, of the second part, entered into in behalf of such Choctaw and Chickasaw governments, duly appointed and authorized thereunto, viz: Green McCurtain, J. S. Standley, N. B. Ainsworth, Ben Hampton, Wesley Anderson, Amos Henry, D. C. Garland, and A. S. Williams, in behalf of the Choctaw tribe or nation, and R. M. Harris, I. O. Lewis, Holmes Colbert, P. S. Mosely, M. V. Cheadle, R. L. Murray, William Perry, A. H. Colbert, and R. L. Boyd, in behalf of the Chickasaw tribe or nation.

ALLOTMENT OF LANDS.

Witnesseth, That in consideration of the mutual undertakings, herein contained, it is agreed as follows:

That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of said tribes so as to give to each member of these tribes so far as possible a fair and equal share thereof, considering the character and fertility of the soil and the location and value of the lands.

That all the lands set apart for town sites, and the strip of land lying between the city of Fort Smith, Ark., and the Arkansas and Poteau rivers, extending up said river to the mouth of Mill Creek; and 640 acres each, to include the buildings now occupied by the Jones Academy, Tuskhahoma Female Seminary, Wheelock Orphan Seminary and Armstrong Orphan Academy, and ten acres for the capitol building of the Choctaw Nation; 160 acres each, immediately contiguous to and including the buildings known as Bloomfield Academy, Lebanon Orphan Home, Harley Institute, Rock Academy, and Collins Institute,

and five acres for the capitol building in the Chickasaw Nation, and the use of one acre of land for each church house now erected outside of the towns, and eighty acres of land each for J. S. Murrow, H. R. Schermierhorn, and the widow of R. S. Bell, who have been laboring as missionaries in the Choctaw and Chickasaw nations since the year 1866, with the same conditions and limitations as apply to lands allotted to the members of the Choctaw and Chickasaw nations, and to be located on lands not occupied by a Choctaw or a Chickasaw, and a reasonable amount of land, to be determined by the town site commission, to include all court houses and jails and other public buildings not hereinbefore provided for, shall be exempted from division. And all coal and asphalt in or under the lands allotted and reserved from allotment shall be reserved for the sole use of the members of the Choctaw and Chickasaw tribes, exclusive of freedmen: Provided, That where any coal or asphalt is hereafter opened on land allotted, sold, or reserved, the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under the direction of the Secretary of the Interior and paid to the allottee or owner of the land by the lessee or party operating the same, before operations begin. That in order to such equal division, the lands of the Choctaws and Chickasaws shall be graded and appraised so as to give to each member, so far as possible, an equal value of the land: Provided further, That the Commission to the Five Civilized Tribes shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw tribes and their descendants born to them since the date of said treaty, and forty acres of land, including their present residences and improvements, shall be allotted to each, to be selected, held, and used by them until their rights under said treaty shall be determined, in such manner as shall hereafter be provided by act of Congress.

That the lands allotted to the Choctaw and Chickasaw freedmen are to be deducted from the portion to be allotted under this agreement to the members of the Choctaw and Chickasaw tribe so as to reduce the allotment to the Choctaws and Chickasaws by the value of the same.

That the said Choctaw and Chickasaw freedmen who may be entitled to allotments of forty acres each shall be entitled each to land equal in value to forty acres of the average land of the two nations.

That in the appraisement of the lands to be allotted the Choctaw and Chickasaw tribes shall each have a representative, to be appointed by their respective executives to co-operate with the commission to the Five Civilized Tribes, or any one making appraisements under the direction of the Secretary of the Interior in grading and appraising the lands preparatory to allotment. And the land shall be valued in the appraisement as if in its original condition, excluding the improvements thereon.

That the appraisement and allotment shall be made under the direction of the Secretary of the Interior, and shall begin as soon as the progress of the surveys, now being made by the United States Government, will admit.

That each member of the Choctaw and Chickasaw tribes, including Choctaw and Chickasaw freedmen, shall, where it is possible, have the right to take his allotment on land, the improvements on which belong to him, and such improvements shall not be estimated in the value of his allotment. In the case of minor children, allotments shall be selected for them by their father, mother, guardian, or the administrator having charge of their estate, preference being given in the order named, and shall not be sold during his minority. Allotments shall be selected for prisoners, convicts, and incompetents by some suitable person akin to them, and due care taken that all persons entitled thereto have allotments made to them.

All the lands allotted shall be nontaxable while the title remains in the original allottee, but not to exceed twenty-one years from date of patent, and each allottee, shall select from his allotment a homestead of 160 acres, for which he shall have a separate patent, and which shall be inalienable for twenty-one years from date of patent. This provision shall also apply to the Choctaw and Chickasaw freedmen to the extent of his allotment. Selections for homesteads for minors to be made as provided herein in case of allotment, and the remainder of the lands allotted to said members shall be alienable for a price to be actually paid, and to include no former indebtedness or obligation—one-fourth of said remainder in one year, one-fourth in three years, and the balance of said alienable lands in five years from the date of the patent.

THE INDIAN TERRITORY.

That all contracts looking to the sale or incumbrance in any way of the land of an allottee, except the sale hereinbefore provided, shall be null and void. No allottee shall lease his allotment, or any portion thereof, for a longer period than five years, and then without the privilege of renewal. Every lease which is not evidenced by writing, setting out specifically the terms thereof, or which is not recorded in the clerk's office of the United States court for the district in which the land is located, within three months after the date of its execution, shall be void, and the purchaser or lessee shall acquire no rights whatever by an entry or holding thereunder. And no such lease or any sale shall be valid as against the allottee unless providing to him a reasonable compensation for the lands sold or leased.

That all controversies arising between the members of said tribes as to their right to have certain lands allotted to them shall be settled by the commission making the allotments.

That the United States shall put each allottee in possession of his allotment and remove all persons therefrom objectionable to the allottee.

That the United States shall survey and definitely mark and locate the ninety-eighth (98th) meridian of west longitude between Red and Canadian rivers before allotment of the lands herein provided for shall begin.

MEMBERS' TITLES TO LANDS.

That as soon as practicable, after the completion of said allotments, the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall jointly execute, under their hands and the seals of the respective nations, and deliver to each of the said allottees patents conveying to him all the right, title, and interest of the Choctaws and Chickasaws in and to the land which shall have been allotted to him in conformity with the requirements of this agreement, excepting all coal and asphalt in or under said land. Said patents shall be framed in accordance with the provisions of this agreement, and shall embrace the land allotted to such patentee and no other land, and the acceptance of his patents by such allottee shall be operative as an assent on his part to the allotment and conveyance of all the lands of the Choctaws and Chickasaws in accordance with the provisions of this agreement, and as a relinquishment of all his right, title and interest in and to any and all parts thereof, except the land embraced in said patents, except also his interest in the proceeds of all lands, coal and asphalt herein excepted from allotment.

That the United States shall provide by law for proper records of land titles in the territory occupied by the Choctaw and Chickasaw tribes.

RAILROADS.

The rights of way for railroads through the Choctaw and Chickasaw nations to be surveyed and set apart and platted to conform to the respective acts of Congress granting the same in cases where said rights of way are defined by such acts of Congress, but in cases where the acts of Congress do not define the same then Congress is memorialized to definitely fix the width of said rights of way for station grounds and between stations, so that railroads now constructed through said nations shall have, as near as possible, uniform rights of way; and Congress is also requested to fix uniform rates of fare and freight for all railroads through the Choctaw and Chickasaw nations; branch railroads now constructed and not built according to acts of Congress to pay the same rates for rights of way and station grounds as main lines.

TOWN SITES.

It is further agreed that there shall be appointed a commission for each of the two nations. Each commission shall consist of one member, to be appointed by the executive of the tribe for which said commission is to act, who shall not be interested in town property other than his home, and one to be appointed by the President of the United States. Each of said commissions shall lay out town sites, to be restricted as far as possible to their present limits, where towns are now located in the nation for which said commission is appointed. Said commission shall have prepared correct and proper plats of each town, and file one in the clerk's office of the United States district court for the district in which the town is located, and one with the principal chief or governor of the nation in which the town is located, and one with the Secretary of the Interior, be approved by him before

the same shall take effect. When said towns are so laid out, each lot on which permanent, substantial, and valuable improvements, other than fences, tillage, and temporary houses, have been made, shall be valued by the commission provided for the nation in which the town is located at the price a fee simple title to the same would bring in the market at the time the valuation is made, but not to include in such value the improvements thereon. The owner of the improvements on each lot shall have the right to buy one residence and one business lot at fifty per centum of the appraised value of such improved property, and the remainder of such improved property at 62½ per centum of the said market value within sixty days from date of notice served on him that such lot is for sale, and if he purchases the same he shall, within ten days from his purchase, pay into the treasury of the United States one-fourth of the purchase price, and the balance in three equal annual installments, and when the entire sum is paid shall be entitled to a patent for the same. In case the two members of the commission fail to agree as to the market value of any lot, or the limit or extent of said town, either of said commissioners may report any such disagreement to the judge of the district in which such town is located, who shall appoint a third member to act with said commission, who is not interested in town lots, who shall act with them to determine said value.

If such owner of the improvements on any lot fails within sixty days to purchase and make the first payment on same, such lot, with the improvements thereon, shall be sold at public auction to the highest bidder under the direction of the aforesaid commission, and the purchaser at such sale shall pay to the owner of the improvements the price for which said lot shall be sold, less 62½ per cent of said appraised value of the lot, and shall pay the 62½ per cent of said appraised value into the United States Treasury, under regulations to be established by the Secretary of the Interior, in four installments, as hereinbefore provided. The commission shall have the right to reject any bid on such lot which they consider below its value.

All lots not so appraised shall be sold from time to time at public auction (after proper advertisement) by the commission for the nation in which the town is located, as may seem for the best interest of the nations and the proper development of each town, the purchase price to be paid in four installments as hereinbefore provided for improved lots. The commission shall have the right to reject any bid for such lots which they consider below its value.

All the payments herein provided for shall be made under the direction of the Secretary of the Interior into the United States treasury, a failure of sixty days to make any one payment to be a forfeiture of all payments made and all rights under the contract: Provided, That the purchaser of any lot shall have the option of paying the entire price of the lot before the same is due.

No tax shall be assessed by any town government against any town lot unsold by the commission, and no tax levied against a lot sold, as herein provided, shall constitute a lien on same till purchase price thereof has been fully paid to the nation.

The money paid into the United States treasury for the sale of all town lots shall be for the benefit of the members of the Choctaw and Chickasaw tribes (freedmen excepted), and at the end of one year from the ratification of this agreement, and at the end of each year thereafter, the funds so accumulated shall be divided and paid to the Choctaws and Chickasaws (freedmen excepted), each member of the two tribes to receive an equal portion thereof.

That no law or ordinance shall be passed by any town which interferes with the enforcement of or is in conflict with the laws of the United States in force in said Territory, and all persons in such towns shall be subject to said laws, and the United States agrees to maintain strict laws in the territory of the Choctaw and Chickasaw tribes against the introduction, sale, barter, or giving away of liquors and intoxicants of any kind or quality.

That said commission shall be authorized to locate, within a suitable distance from each town site, not to exceed five acres to be used as a cemetery, and when any town has paid into the United States Treasury, to be part of the fund arising from the sale of town lots, ten dollars per acre therefor, such town shall be entitled to a patent for the same as herein provided for titles to allottees, and shall dispose of same at reasonable prices in suitable lots for burial purposes, the proceeds derived from such sales to be applied by the town government for the proper improvement and care of said cemetery.

That no charge or claim shall be made against the Choctaw or Chickasaw tribes by the United States for the expenses of surveying

and platting the lands and town sites, or for grading, appraising, and annotting the lands, or for appraising and disposing of the town lots as herein provided.

That the land adjacent to Fort Smith and lands for court-houses, jails, and other public purposes, excepted from allotment shall be disposed of in the same manner and for the same purposes as provided for town lots herein, but not till the Choctaw and Chickasaw councils shall direct such disposition to be made thereof, and said land adjacent thereto shall be placed under the jurisdiction of the City of Fort Smith, Ark., for police purposes.

There shall be set apart and exempted from appraisement and sale in the towns, lots upon which churches and parsonages are now built and occupied, not to exceed fifty feet front and one hundred feet deep for each church or parsonage; Provided, That such lots shall only be used for churches and parsonages, and when they ceased to be used shall revert to the members of the tribes to be disposed of as other town lots: Provided further, That these lots may be sold by the churches for which they are set apart if the purchase money therefor is invested in other lot or lots in the same town, to be used for the same purpose and with the same conditions and limitations.

It is agreed that all the coal and asphalt within the limits of the Choctaw and Chickasaw Nations shall remain and be the common property of the members of the Choctaw and Chickasaw tribes (freedmen excepted), so that each and every member shall have an equal and undivided interest in the whole; and no patent provided for in this agreement shall convey any title thereto. The revenues from coal and asphalt, or so much as shall be necessary, shall be used for the education of the children of Indian blood of the members of said tribes. Such coal and asphalt mines as are now in operation, and all others which may hereafter be leased and operated, shall be under the supervision and control of two trustees, who shall be appointed by the President of the United States, one on the recommendation of the Principal Chief of the Choctaw Nation, who shall be a Choctaw by blood, whose term shall be for four years, and one on the recommendation of the Governor of the Chickasaw Nation who shall be a Chickasaw by blood, whose term shall be for two years; after which the term of appointees shall be four years. Said trustees, or either of them, may, at any time, be removed by the President of the United States for good cause shown. They shall each give bond for the faithful performance of their duties, under such rules as may be prescribed by the Secretary of the Interior. Their salaries shall be fixed and paid by their respective nations, each of whom shall make full report of all his acts to the Secretary of the Interior quarterly. All such acts shall be subject to the approval of said Secretary.

All coal and asphalt mines in the two nations, whether now developed, or to be hereafter developed, shall be operated, and the royalties therefrom paid into the Treasury of the United States, and shall be drawn therefrom under such rules and regulations as shall be prescribed by the Secretary of the Interior.

All contracts made by the National Agents of the Choctaw and Chickasaw Nations for operating coal and asphalt, with any person or corporation which were, on April twenty-third, eighteen hundred and ninety-seven, being operated in good faith are hereby ratified and confirmed, and the lessee shall have the right to renew the same when they expire, subject to all the provisions of this Act.

All agreements heretofore made by any person or corporation with any member or members of the Choctaw or Chickasaw nations, the object of which was to obtain such member or members' permission to operate coal or asphalt, are hereby declared void: Provided, That nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights asphalt, or mineral which have been assented to by act of Congress, but all such interests shall continue unimpaired hereby and shall be assured by new leases from such trustees of coal or asphalt claims described therein, by application to the trustees within six months after the ratification of this agreement, subject, however, to payment of advance royalties herein provided for.

All leases under this agreement shall include the coal or asphaltum, or other mineral, as the case may be, in or under nine hundred and sixty acres, which shall be in a square as nearly as possible, and shall be for thirty years. The royalty on coal shall be fifteen cents per ton of two thousand pounds on all coal mined, payable on the 25th day of the month next succeeding that in which it is mined. Royalty on asphalt shall be sixty cents per ton, payable same as coal; Provided, That the Secretary of the Interior may reduce or advance roy-

alties on coal and asphalt when he deems it for the best interests of the Choctaws and Chickasaws to do so. No royalties shall be paid except into the United States Treasury, as herein provided.

All lessees shall pay on each coal or asphalt claim at the rate of one hundred dollars per annum, in advance, for the first and second years; two hundred dollars per annum, in advance, for the third and fourth years; and five hundred dollars for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made, and shall be a credit as royalty when each said mine is developed and operated, and its production is in excess of such guaranteed annual advance payments, and all persons having coal leases must pay said annual advanced payments on each claim, whether developed or undeveloped: Provided, however, That should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalty paid in advance thereon shall then become and be the money and property of the Choctaw and Chickasaw nations.

In surface, the use of which is reserved to present coal operators, shall be included such lots in towns as are occupied by lessees' houses—either occupied by said lessees' employes, or as offices or warehouses; Provided, however, That in those town sites designated and laid out under the provision of this agreement where coal leases are now being operated and coal is being mined, there shall be reserved from appraisement and sale all lots occupied by houses of miners actually engaged in mining, and only while they are so engaged, and in addition thereto a sufficient amount of land to be determined by the town-site board of appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines, and a sufficient amount for all buildings and machinery for mining purposes: And, provided further, That when the lessees shall cease to operate said mines, then and in that event the lots of land so reserved shall be disposed of by the coal trustees for the benefit of the Choctaw and Chickasaw tribes.

That whenever the members of the Choctaw and Chickasaw tribes shall be required to pay taxes for the support of schools, then the fund arising from such royalties shall be disposed of for the equal benefit of their members (freedmen excepted) in such manner as the tribes may direct.

It is further agreed that the United States courts now existing or that may hereafter be created, in the Indian Territory, shall have exclusive jurisdiction of all controversies growing out of the titles, ownership, occupation, possession, or use of real estate, coal and asphalt in the territory occupied by the Choctaw and Chickasaw tribes; and of all persons charged with homicide, embezzlement, bribery and embracery, breaches, or disturbances of the peace, and carrying weapons, hereafter committed in the territory of said tribes, without reference to race or citizenship of the person or persons charged with such crime, and any citizen or officer of the Choctaw or Chickasaw nations charged with such crime shall be tried, and, if convicted, punished as though he were a citizen or officer of the United States.

And sections sixteen hundred and thirty-six to sixteen hundred and forty-four, inclusive, entitled "Embezzlement," and sections seventeen hundred and eleven to seventeen hundred and eighteen, inclusive, entitled "Bribery and Embracery," of Mansfield's Digest of the laws of Arkansas, are hereby extended over and put in force in the Choctaw and Chickasaw nations; and the word "Officer," where the same appears in said laws, shall include all officers of the Choctaw and Chickasaw governments; and the fifteenth section of the Act of Congress, entitled "An Act to establish United States courts in the Indian Territory, and for other purposes," approved March first, eighteen hundred and eighty-nine, limiting jurors to citizens of the United States, shall be held not to apply to United States courts in the Indian Territory held within the limits of the Choctaw and Chickasaw nations; and all members of the Choctaw and Chickasaw tribes, otherwise qualified, shall be competent jurors in said courts: Provided, That whenever a member of the Choctaw and Chickasaw nations is indicted for homicide, he may, within thirty days after such indictment and his arrest thereon, and before the same is reached for trial, file with the clerk of the court in which he is indicted, his affidavit that he can not get a fair trial in said court; and it thereupon shall be the duty of the judge of said court to order a change of venue in such case to the United States district court for the western district of Arkansas, at Fort Smith, Arkansas, or to the United States district court for the eastern district of Texas, at Paris, Texas, always selecting the court that in his judg-

ment is nearest or most convenient to the place where the crime charged in the indictment is supposed to have been committed, which courts shall have jurisdiction to try the case; and in all said civil suits said courts shall have full equity powers; and whenever it shall appear to said court, at any stage in the hearing of any case, that the tribe is in any way interested in the subject matter in controversy, it shall have power to summon in said tribe and make the same a party to the suit and proceed therein in all respects as if such tribe were an original party thereto; but in no case shall suit be instituted against the tribal government without its consent.

It is further agreed that no act, ordinance or resolution of the council of either the Choctaw or Chickasaw tribes, in any manner affecting the land of the tribe, or of the individuals after allotment, or the moneys or other property of the tribe or citizens thereof (except appropriations for the regular and necessary expenses of the government of the respective tribes), or the rights of any persons to employ any kind of labor, or the rights of any persons who have taken or may take the oath of allegiance to the United States, shall be of any validity until approved by the President of the United States. When such acts, ordinances or resolutions passed by the council of either of said tribes shall be approved by the governor thereof, then it shall be the duty of the national secretary of said tribe to forward them to the President of the United States, duly certified and sealed, who shall, within thirty days after their reception, approve or disapprove the same. Said acts, ordinances, or resolutions, when so approved, shall be published in at least two newspapers having a bona fide circulation in the tribe to be affected thereby, and when disapproved shall be returned to the tribe enacting the same.

It is further agreed, in view of the modification of legislative authority and judicial jurisdiction herein provided, and the necessity of the continuance of the tribal governments so modified, in order to carry out the requirements of this agreement, that the same shall continue for the period of eight years from the fourth day of March, eighteen hundred and ninety-eight. The stipulation is made in the belief that the tribal governments so modified will prove so satisfactory that there will be no need or desire for further change till the lands now occupied by the Five Civilized Tribes shall, in the opinion of Congress, be prepared for admission as a State to the Union. But this provision shall not be construed to be in any respect an abdication by Congress of power at any time to make needed rules and regulations respecting said tribes.

That all per capita payments hereafter made to the members of the Choctaw or Chickasaw nations shall be paid directly to each individual member by a bonded officer of the United States, under the direction of the Secretary of the Interior, which officer shall be required to give strict account for such disbursements to said Secretary.

That the following sum be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for fulfilling treaty stipulations with the Chickasaw Nation of Indians, namely:

For arrears of interest at five per centum per annum, from December thirty-first, eighteen hundred and forty, to June thirtieth, eighteen hundred and eighty-nine, on one hundred and eighty-four thousand one hundred and forty-three dollars and nine cents of the trust fund of the Chickasaw Nation erroneously dropped from the books of the United States prior to December thirty-first, eighteen hundred and forty and restored December twenty-seventh, eighteen hundred and eighty-seven, by the award of the Secretary of the Interior, under the fourth article of the treaty of June twenty-second, eighteen hundred and fifty-two, and for arrears of interest at five per centum per annum, from March eleventh, eighteen hundred and fifty, to March third, eighteen hundred and ninety, on fifty-six thousand and twenty-one dollars and forty-nine cents of the trust funds of the Chickasaw Nation erroneously dropped from the books of the United States March eleventh, eighteen hundred and fifty, and restored December twenty-seventh, eighteen hundred and eighty-seven, by the award of the Secretary of the Interior, under the fourth article of the treaty of June twenty-second, eighteen hundred and fifty-two, five hundred and fifty-eight thousand five hundred and twenty dollars and fifty-four cents, to be placed to the credit of the Chickasaw Nation with the fund to which it properly belongs; Provided, That if there be any attorneys' fees to be paid out of the same, on contract heretofore made and duly approved by the Secretary of the Interior, the same is authorized to be paid by him.

It is further agreed that the final decision of the courts of the United States in the case of the Choctaw Nation and the Chickasaw

Nation against the United States and the Wichita and affiliated bands of Indians now pending, when made, shall be conclusive as the basis of settlement as between the United States and said Choctaw and Chickasaw nations for the remaining lands in what is known as the "Leased District," namely, the land lying between the ninety-eighth and one hundredth degrees of west longitude and between the Red and Canadian rivers, leased to the United States by the treaty or eighteen hundred and fifty-five, except that portion called the Cheyenne and Arappahoe country, heretofore acquired by the United States, and all final judgments rendered against said nations in any of the courts of the United States in favor of the United States or any citizen thereof shall first be paid out of any sum hereafter found due said Indians for any interest they may have in the so-called leased district.

It is further agreed that all of the funds invested in lieu of investment, treaty funds or otherwise, now held by the United States in trust for the Choctaw and Chickasaw tribes, shall be capitalized within one year after the tribal governments shall cease, so far as the same may legally be done, and be appropriated and paid by some officer of the United States appointed for the purpose, to the Choctaws and Chickasaws (freedmen excepted) per capita, to aid and assist them in improving their homes and lands.

It is further agreed that the Choctaws and Chickasaws, when their tribal governments cease, shall become possessed of all the rights and privileges of citizens of the United States.

ORPHAN LANDS.

It is further agreed that the Choctaw orphan lands in the State of Mississippi, yet unsold, shall be taken by the United States at one dollar and twenty-five cents (\$1.25) per acre, and the proceeds placed to the credit of the Choctaw orphan fund in the Treasury of the United States, the number of acres to be determined by the General Land Office.

In witness whereof the said commissioners do hereunto affix their names at Atoka, Indian Territory, this the twenty-third day of April, eighteen hundred and ninety seven.

| | |
|------------------|-----------------------|
| GREEN McCURTAIN, | R. M. HARRIS, |
| PRINCIPAL CHIEF, | Governor. |
| J. S. STANDLEY, | ISAAC O. LEWIS, |
| N. B. AINSWORTH, | HOLMES COLBERT, |
| BEN HAMPTON, | ROBERT L. MURRAY, |
| WESLEY ANDERSON, | WILLIAM PERRY, |
| AMOS HENRY, | R. L. BOYD, |
| D. C. GARLAND, | Chickasaw Commission. |

Choctaw Commission.

| | |
|--|--|
| FRANK C. ARMSTRONG, | |
| Acting Chairman. | |
| ARCHIBALD S. McKENNON, | |
| THOMAS B. CABANISS, | |
| ALEXANDER B. MONTGOMERY, | |
| Commission to the Five Civilized Tribes. | |
| H. M. JACOWAY, Jr., | |
| Secretary Five Tribes' Commission | |

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T. A. PARKINSON,
Vice-President

H. E. DODGE,
Assistant Cashier

TRANSACTS A GENERAL BANKING BUSINESS

COLLECTIONS RECEIVE SPECIAL ATTENTION

B. L. NAYLOR, PRES

F. M. DAVIS, VICE-PRES & GEN'L MGR

W. G. GIBBONS, SEC'Y

J. W. WALLACE, TREAS

THE.....

Western Investment Company

Of Wagoner, Ind. Ter.

THIS COMPANY BY ITS CHARTER IS
AUTHORIZED TO CONDUCT A

GENERAL LAND, INVESTMENT,
MERCANDISE AND BANK-
ING BUSINESS.

CORRESPONDENCE SOLICITED

HOME OFFICE,

WAGONER, IND. TER.

BRANCH OFFICE,

COWETA, IND. TER.

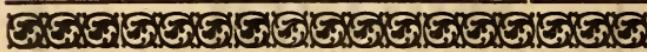
L. L. BALDRIDGE,
PRESIDENT.

F. W. FLATO, JR.
VICE-PRESIDENT.

W. I. NICHOLSON,
SEC'Y AND TREAS.

The Verdigris Land and Contracting Company

INCORPORATED



Wagoner, - - - Indian Territory

CAPITAL STOCK

\$30,000

DIRECTORS: *L. L. Baldridge, F. W. Flato, Jr., W. I. Nicholson,
E. E. Baldridge, P. R. Austin, J. W. Gibson.*

CONTROL 60,000 acres tillable land. No better country for feeding and fattening hogs and cattle. Best results obtained with 40 per cent less feed than in Missouri. Farming land adapted to the growth of wheat, corn and cotton. Everything flourished that has been planted.

A NEW COUNTRY AT A LOW PRICE

WRITE FOR FURTHER PARTICULARS

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JAY FORSYTHE, PRES
 F. E. TURNER, VICE-PRES
 FLOWERS NELSON, SEC'Y
 B. F. COLLEY, TREAS

J. H. McBIRNEY
 GEO. BULLETTE
 L. W. WILLETS

V. I. SHURTLEFF
 C. L. REEDER
 J. D. SEAMAN
 R. T. EPPERSON

THE TULSA OIL and MINING CO.

(INCORPORATED)

TULSA, INDIAN TERRITORY

CAPITAL STOCK, \$150,000.

NON-ASSESSABLE

THE LOGEE OIL and MINING CO.

TULSA, IND. TER.

CAPITAL STOCK, - - - \$500,000

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C. W. KNICKERBOCKER, M. D., PRES,
 CHARLES CITY, IOWA

O F. STARR, M. D., AUDITOR,
 TULSA, INDIAN TERRITORY

R. H. PATRICK, VICE-PRES,
 TULSA, INDIAN TERRITORY

C. L. REEDER, M. D., SEC'Y
 TULSA, INDIAN TERRITORY

F. E. TURNER, TREAS, TULSA, INDIAN TERRITORY

FOR INFORMATION REGARDING STOCK AND HOLDINGS APPLY TO
 C. L. REEDER, SECRETARY.

OFFICERS

L. M. POE, PRES., ATTORNEY AT LAW DR. FRED S. CLINTON, SEC'Y,
 B. F. COLLEY, VICE-PRES, CASH. FIRST NAT'L BANK C. B. LYNCH, TREAS

FRISCO OIL and GAS CO.

TULSA, INDIAN TERRITORY

DIRECTORS

J. H. McBIRNEY, ASS'T CASHIER FIRST NATIONAL BANK
 DR. J. N. JACKSON, OF KANSAS CITY, MO.
 DR. J. C. W. BLAND, OF RED FORK, IND. TER.
 GEO. T. WILLIAMSON, WILLIAMSON BROS., MERCHANTS
 DR. S. G. KENNEDY
 LEE CLINTON, STOCKMAN, RED FORK, IND. TER.
 W. F. DECATUR, MONETT, MO.

JAY FORSYTHE, PRESIDENT. J. H. McBIRNEY, SECRETARY.
 R. T. EPPERSON, VICE-PRESIDENT. B. F. COLLEY, TREASURER.
 E. CALKINS, ATTORNEY.

CREEK NATION LAND & INVESTMENT CO.

(INCORPORATED)

CAPITAL STOCK, \$25,000.00

**CITY AND COUNTRY PROPERTY AND LEASES
TULSA, IND. TER.**

DIRECTORS

DR. SAMUEL G. KENNEDY, PRESIDENT.
 DR. S. C. W. BLAND, VICE-PRESIDENT.
 DR. FRED S. CLINTON, SECRETARY.
 DR. JAMES L. KENNEDY, TREASURER.

DR. SAMUEL G. KENNEDY,
 DR. S. C. W. BLAND,
 DR. FRED S. CLINTON,
 DR. JAMES L. KENNEDY,
 A. R. QUERRY,
 JAMES P. GILMORE,
 M. J. ROMINE.

Tulsa Real Estate Exchange

M. J. ROMINE, Manager.

ROOMS 2, 3 and 4 KENNEDY BUILDING TULSA, IND. TER.

WE BUY, SELL AND NEGOTIATE

Oil and Mineral Leases, Agricultural Leases, Improved City Property
 Unimproved City Property, Stocks and Bonds of
 Substantial Corporations.

J. A. Friend & Co. REAL ESTATE AND LOAN AGENTS TULSA, IND. TER.

Business established in Tulsa in 1896. We have at all times a large list of Farm and City Property; also Mineral and Oil Lands for sale or lease. We guarantee satisfaction to all our customers.

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TULSA, IND. TER.

FOR INFORMATION ON

OIL-GAS-COAL-MINERAL-FARM-AND-PASTURE
LANDSBRICK, POTTER'S FIRE CLAYS, SHALES, LIME AND CEMENT
PROPERTIES FOR LEASE OR SALE

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J. C. W. BLAND, MANAGER

Archer Hardware Co.

Hardware and Furniture

CHINA, GLASS and QUEENSWARE BINDERS, MOWERS and HAY TOOLS
STOVES, RANGES, PIPE and PIPE FITTINGS

Agents for Studebaker Wagons, Agricultural Implements, Wind Mills, Vehicles

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W. E. HALSELL, PRESIDENT
L. APPLEBY, VICE-PRESIDENTB. F. COLLEY, CASHIER
J. H. MCBIRNEY, ASST. CASHIER

5171

First National Bank

TULSA, IND. TER.

| | |
|--------------------------------|-------------|
| CAPITAL STOCK, | \$50,000.00 |
| SURPLUS and PROFITS, | 15,000.00 |
| DEPOSITS, | 100,000.00 |

MONEY TO LOAN ON APPROVED SECURITY. YOUR BUSINESS SOLICITED

A. R. Querry ATTORNEY AT LAW

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- - - - - INDIAN TERRITORY

Does a General Practitioner's Business Before the Courts
in the Indian Territory. Collections and Business Corre-
spondence a Specialty.

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ATORNEY AT LAW

TULSA, IND. TER.

Flowers Nelson

Attorney at Law

Forsythe Building

TULSA, IND. TER.

L. M. POE,
Tulsa, Ind. Ter.

HARRY CAMPBELL,
Sapulpa, Ind. Ter.

POE & CAMPBELL

Attorneys at Law

TULSA,

- - - - - INDIAN TERRITORY

CHAT Muskogee is destined to be the most important and influential commercial city in the beautiful Indian Territory is no longer a prophecy, but a settled fact; and it needs only a few more important firms, such as

THE TURNER HARDWARE COMPANY

to make it so. This establishment excites the wonder and admiration of every customer, as well as visitor, who enters its doorways. Its Founder and President, C. W. TURNER, is a man still in the fullest vigor and prime of life, whose success has been and continues to be in no wise phenomenal, but is the natural outgrowth of close application and keen insight to business; and of conducting all business in the most careful but broad-gauged and liberal manner.

As a firm it deserves its constant increase of patronage for more reasons than one.

All of its many departments are in every way fully up-to-date and there is never any let up or lagging behind in this respect; each of its separate departments being under the management of the most thorough and competent men who are untiring in their efforts to make the TURNER HARDWARE COMPANY the biggest and most prosperous concern in the Indian Territory.

It is commonly current that this firm is the most accommodating business institution of all Territory firms. Its

Wholesale and Retail Hardware Department

holds its own in every way, competing with the houses of the kind in Chicago, St. Louis and Kansas City.

The Buggy and Implement Department

Is not to be equaled anywhere else in the Territory.

The Tin Shop

Is capacited to execute all orders in the promptest possible time and the most satisfactory manner.

The Lumber Yard

Where car after car of Lumber, Lime, Brick, Cement, Sash, Doors and Blinds are unloaded and distributed all over the country is only a side issue to this great business institution, and yet this yard alone is large enough to lend prestige to any commercial center.

But standing apart and unrivaled in its originality and conception is

The Furniture and Art Department

Where a prosperous and appreciated business has been conducted from its beginning, under the peerless motto:

"A thing of beauty is a joy forever:
Its loveliness increases; it will never
Pass into nothingness."

On this basis they have builded wisely and well and the influence that a once crude and uninformed community derived from such a department established at just such a stage when this country was only beginning to feel its present prosperity and future growth was one of the most refining and uplifting influences of its kind ever established in such a community.

Its beautiful Pictures, Books, Statuary; the class of Rugs, Carpets, Draperies, Furniture, Queensware, Wall Papers and selected novelties suitable for such a department are all calculated to remind one of nothing less than the life work of Wm. Morris in the Old World.

For this department has distributed a class of goods in many instances which will be treasured for all time to come by those into whose hands they may fall long after, in the natural order of things, this large firm shall have passed out of existence.

D. H. MIDDLETON, Pres

C. W. TURNER, Treas

R. L. BAUGH, Sec'y

CAPITAL, - \$50,000

MUSKOGEE DEVELOPMENT COMPANY

Room 8, Turner Building

MUSKOGEE, INDIAN TERRITORY.



We do a general real estate business, make a specialty of renting and leasing country lands for farms and grazing purposes. If you want a home in the best town in the Territory, or want to lease or rent a farm or ranch, write us.

MUSKOGEE DEVELOPMENT CO.



The CYCLONE

FOUR STORES IN ONE



The Only Complete Department
Store in the Indian Territory



The place where you can obtain anything you want
to eat, wear and use at reasonable prices.



The Cyclone

KAEISER & FULLER

SOUTH McALESTER - IND. TER.

The
First National Bank
OF SOUTH MCALESTER

[No. of Bank, 5052.]

F. S. GENUNG, President

W. J. WADE, First Vice-President

E. J. FANNIN, Second Vice-President

E. T. BRADLEY, Cashier

J. T. LOCKARD, Ass't Cashier

OPEN FOR BUSINESS DECEMBER 12, 1896

| | | |
|-------------------------------|---|----------|
| Capital Stock | - | \$65,000 |
| Surplus and Undivided Profits | - | 20,000 |

Directors—J. H. Gordon, C. C. Hemming, F. S. Genung, E. J. Fannin, E. T. Bradley, Yancey Lewis, W. J. Wade.

SAFETY DEPOSIT BOXES FOR RENT
NOTARY PUBLIC IN BANK

Buy "Bank Money Orders" from the First National Bank. "Bank Money Orders" are cheaper than any other kind of money orders and much preferred by all business people.

Statement of the First National Bank of South McAlester, I. T., at the close of business April 24, as rendered to the U. S. Comptroller of the Currency:

RESOURCES.

| | |
|---------------------------------------|--------------|
| Loans and Discounts | \$180,690.54 |
| U. S. Bonds and premiums | 17,922.64 |
| Banking house, furniture and fixtures | 6,064.23 |
| Other Real Estate owned | 2,000.00 |
| Cash in vault and with banks | 108,342.59 |

| | |
|-----------------------------|--------------|
| Above statement is correct. | \$315,020.00 |
| E. T. Bradley, Cashier. | |

LIABILITIES.

| | |
|--------------------------------------|--------------|
| Capital Stock | \$ 65,000.00 |
| Surplus and Undivided Profits | 21,915.29 |
| Circulation (secured by U. S. Bonds) | 16,250.00 |
| Individual deposits | 211,854.71 |

\$315,020.00

LIST OF STOCKHOLDERS.

| | | |
|----------------------|-----------------------|------------------|
| C. C. Hemming | Mrs. Alma H. Brownlie | H. T. Douglas |
| E. T. Bradley | Mrs. M. E. Stevens | J. W. Townsend |
| F. S. Genung | Miss Gertrude Leonard | E. B. Copley |
| E. J. Fannin | Miss Mary Leonard | A. Ward Copley |
| W. J. Wade | Mrs. Jessie Genung | J. C. Cunningham |
| J. H. Gordon | S. Zacharias | W. H. H. Clayton |
| Yancey Lewis | Wm. Schwarz | Philos S. Jones |
| Mrs. J. W. Phillips | Ira D. Oglesby | Geo. W. Scales |
| Mrs. A. L. Townsend, | Ira D. Oglesby, Jr. | O. Fuller |
| Guardian | John W. Creveling | |

GEORGE A. MANSFIELD

J. F. McMURRAY

MELVEN CORNISH



MANSFIELD,
McMURRAY
AND CORNISH

ATTORNEYS AT LAW

SOUTH McALESTER

IND. TER.



GENERAL COUNSEL FOR
THE CHOCTAW AND CHICKASAW NATIONS

FRANKLIN BACHE,
PRESIDENT

L. W. BRYAN,
SEC'Y AND GEN'L MGR

JAS. DEGNAN,
VICE-PREST AND TREAS.

A. M. STEWART,
GEN'L SALES AGENT

CONSOLIDATED COAL COMPANY

SOUTH McALESTER, . . . IND. TER.

McALESTER COAL AND COKE

0000000000000000 0000000000000000

Sole Agents for.....

Mexican Gulf Coal and Transportation Co.

McAlester Coal and Mineral Co.

Missouri, Kansas and Texas Coal Co.

Eastern Coal and Mining Co

Kali Inla Coal Co (Fanshaw.)

Choctaw Coke Co.

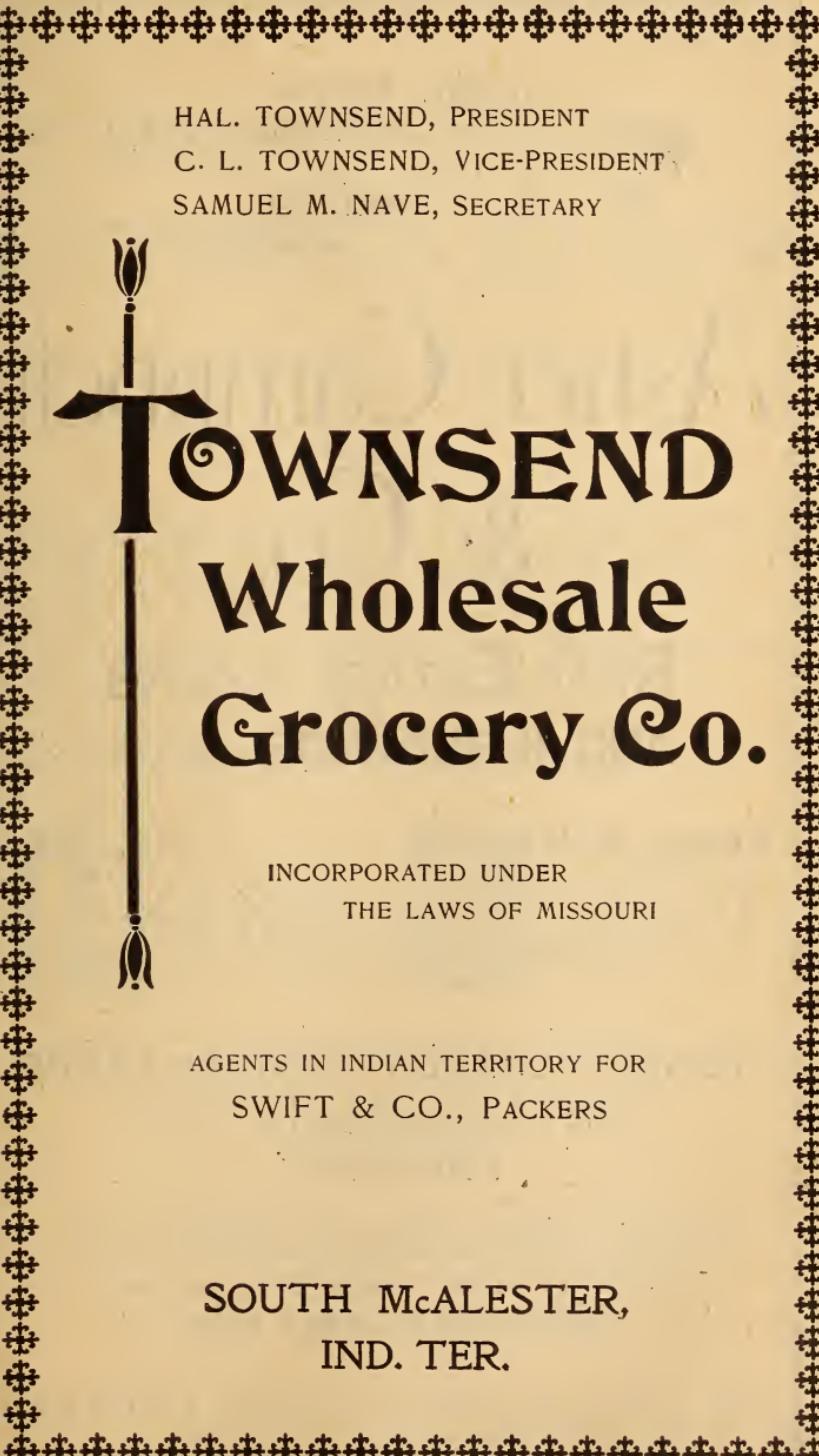
And other Coal interests on the line of the
Choctaw, Oklahoma & Gulf R. R. Co.

0000000000000000 0000000000000000

PROMPT SERVICE

BEST QUALITY

HAL. TOWNSEND, PRESIDENT
C. L. TOWNSEND, VICE-PRESIDENT
SAMUEL M. NAVÉ, SECRETARY



TOWNSEND
Wholesale
Grocery Co.

INCORPORATED UNDER
THE LAWS OF MISSOURI

AGENTS IN INDIAN TERRITORY FOR
SWIFT & CO., PACKERS

SOUTH McALESTER,
IND. TER.



JESSE ASHER,
EXCURSION AGENT, M., K. & T. RY.

D. F. CAMPBELL,
NOTARY PUBLIC

Asher, Campbell & Co.

REAL ESTATE, LOANS
AND INSURANCE

SOUTH McALESTER, - IND. TER.

Write us, for any information in regard
to the Indian Territory. We are well
acquainted with the Country.

WE MAKE LEASES ON INDIAN LANDS
WE ALSO DEAL IN CITY
PROPERTY

WE WILL SHOW PARTIES OVER THE TERRITORY
LOOKING FOR PINE TIMBER, COAL, ASPHALT,
MINERALS OF ALL KINDS, OR OIL.

WRITE US FOR BOOK AND MAP, PRICE 50c

L. WALKER.

LAKE MOORE.

WALKER & MOORE ATTORNEYS AT LAW

Holdenville, Ind. Ter.



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NOTARY IN OFFICE & & DEPOSITIONS TAKEN

Represent R. G. Dun & Co., St. Louis & San Francisco R. R., City Attorneys.

A. W. SCOTT. Proprietor.

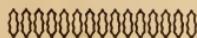
MRS. A. J. CHURCH, Manager.

HOTEL SCOTT

HOLDENVILLE, I. T.



RATES: \$2.00 PER DAY



New in Every Particular, Electric Bells, Free Sample Rooms.

One of the New and Up-to-Date Hotels of the Indian Territory.

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W. J. SMITH, VICE-PRESIDENT.
L. D. ALLRED, CASHIER.

First National Bank

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CAPITAL, - - \$50,000.00**LANDS, LOANS, INSURANCE***Accounts of Merchants, Banks and Individuals Solicited.***ASSOCIATE BANKS:**

First National Bank, Madill, I. T.

First National Bank, Ada, I. T.

First National Bank, Tishomingo, I. T.

First National Bank, Sallisaw, I. T.

Southern National Bank, Wynnewood, I. T.

State Bank, Mill Creek, I. T.

State Bank, Henryetta, I. T.

"All business receives prompt and careful attention"

WILLARD JOHNSTON, PRESIDENT.

C. S. REED, CASHIER.

NO. 5735

The National Bank

OF HOLDENVILLE

HOLDENVILLE, IND. TER.

GENERAL BANKING BUSINESS

LOANS, COLLECTIONS, INSURANCE.

OFFERS SAFE DEPOSIT TO ALL. SOLICITS THE ACCOUNTS OF
MERCHANTS, STOCKMEN AND FARMERS.

D. N. KELKER,

... DEALER IN ...

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LOANS AND LEASES, CITY PROPERTY.

REFERENCE: FIRST NATIONAL BANK.

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The Holdenville Real Estate and Loan Company

Holdenville, - Ind. Ter.

Farm Lands, City Property, Insurance

LEASES SECURED

NOTARY IN OFFICE. DEPOSITIONS TAKEN. CORRESPONDENCE SOLICITED

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HOLDENVILLE, IND. TER.

J. H. CLAWSON, Editor and Propr.

Terms: One Dollar Per Year in Advance

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JOHN A. JACOBS.

W. S. LOWE.

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Real Estate, Loan & Insurance Agents

HOLDENVILLE, IND. TER.

Farm Lands and City Property for Sale or Rent.
Insurance and Collections a Specialty.

Letters of inquiry promptly and accurately answered.

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H. B. ADAMS & CO.

Real Estate Brokers

Holdenville, Ind. Ter.

Renting Farms and Leasing Lands given Special
Attention.



Deal in City Property, Write Insurance and
Loan Money.



CORRESPONDENCE SOLICITED.

MUSKOGEE, INDIAN TERRITORY

Territorial Engineer Company

J. MCBEAN, ENGINEER IN CHARGE,

ROOM 10, TURNER BLOCK. - - - MUSKOGEE, I. T.

P. O. BOX, 702

We are equipped to do a general engineering and surveying business in any part of the Territory, such as Laying out of Townsites, Staking Lots and giving Grades or any other legitimate engineering business.

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J. E. DILLINGHAM, VICE-PRESIDENT

F. R. HEDRICK, CASHIER

E. F. DUNLAP, VICE-PRESIDENT

(No. 5404)

THE FIRST NATIONAL BANK

MADILL, IND. TER.



CAPITAL, - - - - - \$50,000.00



THE OLDEST BANK IN THE CITY



We invite correspondence on any subject. Any business entrusted to us will have prompt and careful attention. We extend to our customers every facility which their balances, business and responsibility warrant.

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W. E. REESE, VICE-PRESIDENT

J. W. GREER, CASHIER



THE...

MADILL BANK

Of MADILL, IND. TER.

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Does a General Banking Business
Collections a Specialty



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NATIONAL BANK OF COMMERCE, Kansas City, Mo.

COMMERCIAL NATIONAL BANK, New Orleans, La.

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ATTORNEYS AT LAW,

MADILL, Chickasaw Nation, IND. TER.

Correspondence Solicited in regard to Leases in the Chickasaw Nation.

Information of all kinds cheerfully given.

Crowell & Humphrey

Lawyers and
Insurance Agents...

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“Hampton House”

A Strictly First Class Hotel,

Free Carriages to and from all Trains.

Patronage of the Traveling Public Solicited.

Reference: Our Customers.

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C. H. TULLY, Wholesale and Retail Merchant

WE CARRY THE FOLLOWING LINE OF GOODS

Dry Goods, Clothing, Hats, Boots and Shoes,
 Groceries, Hardware, Queensware, Furniture,
 Saddles, Harness and Strap Goods,
 Lumber, Building Material, Implements,
 Buggies and Farm Wagons.

We have a Gin and buy Cotton. Employ and work from forty to fifty men. We solicit the trade of all good people that come to the Indian Territory. Fair treatment and satisfaction guaranteed.

C. H. TULLY . . . EUFAULA, IND. TER.

BURDETT'S

THE LARGEST GENERAL STORE
 IN THE INDIAN TERRITORY . . .
 TWO STORY STONE BUILDING 60x150 FEET.

Capital Stock, \$60,000.00

J. BURDETT 

EUFAULA, - - - IND. TER.

FIRST NATIONAL BANK

OF EUFAULA, IND. TER.

C. E. FOLEY, Pres't. PHILLIP BROWN, Vice-Pres't. J. F. CRANE, Cashier

Paid Up Capital, \$40,000.00

THE ACCOUNTS OF MERCHANTS, FARMERS AND
 CATTLEMEN ESPECIALLY SOLICITED.

J. BURDETT, PRESIDENT.
C. W. McCALL, CASHIER.

R. M. COUNTERMAN, VICE-PRESIDENT
E. M. WASHINGTON, ASST. CASHIER.

Eufaula National Bank

EUFAULA, IND. TER.

CAPITAL STOCK - \$35,000.00

Business entrusted to our care will receive prompt and careful attention. Drafts on all parts of the world. Safety Deposit Boxes.
DIRECTORS: J. J. McALLISTER, W. A. GRAHAM, R. M. COUNTERMAN, T. B. BENSON,
J. C. BELT, C. W. McCALL AND J. BURDETT.

Opened for Business Sept. 25, 1901.

W. G. MORHART

WHOLESALE AND RETAIL . . .

DRUGS, BOOKS and STATIONERY

EUFAULA, INDIAN TERRITORY.

Brown Bros.

EUFAULA, I. T.
CANADIAN, I. T.
BONHAM, TEXAS.

GENERAL MERCHANDISE

WHOLESALE AND RETAIL.

TURNER & CRANE

GENERAL MERCHANDISE

COTTON FACTORS

EUFAULA, - - - IND. TER.

WALTER T. FEARS

Real Estate Agent,

Will Buy, Lease or Rent Lands for You
Correspondence Solicited.

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Dry Goods, Clothing
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W. R. SAMUEL . . .

General Merchandise.

Men, Women and
Children's Fine Shoes.

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DRUGGIST and BOOK SELLER

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T. K. BELT

Drugs & Books

and Stationery

EUFAULA, IND. TER.

E. D. NIMS, Pres't.

LORENZ RODKE, Vice-Pres't.
C. S. HUDSON, Cashier.

NO. 5417

First National Bank

ORGANIZED JUNE, 1900

ROFF, IND. TER.

* * * *

Capital, \$25,000.

Surplus and Profits, \$3,000

O. R. TANNER.

S. L. BARNES.

TANNER & BARNES

AGENCIES AT

ROFF AND DAVIS, IND. TER.

We have a list of Choice Town and Farm Property. A lottery is not to be compared with investments in Indian Territory

We write FIRE, TORNADO, ACCIDENT,
STEAM BOILER, PLATE GLASS,
BURGLARY

REALESTATE INSURANCE

ULYSSES G. WINN

* Attorney and Counselor at Law *

ROFF, IND. TER.



EX-UNITED STATES COMMISSIONER.

HASTINGS LUMBER CO.

— DEALERS IN —

Rough and

Dressed

LUMBER

Doors, Sash, Shingles, and all kinds Building Material.

Sherwin-Williams Paint that "Covers the Earth."

Stock Complete, Fair Treatment, Lowest Prices Guaranteed

B. W. PICKETT,

OFFICE, WEST MAIN ST.

Manager for Roff Yard.

A. J. BATTLE

MANUFACTURER OF

Harness and Saddlery

ROFF, IND. TER.

Smith & Hazen

ROFF, IND. TER.

CARRY A COMPLETE LINE OF

HARDWARE, STOVES, TINWARE

BUGGIES, WAGONS AND

AGRICULTURAL IMPLEMENTS

 A LARGE BUSINESS DONE ON SMALL PROFITS 

LEON KAHN....

ROFF, IND. TER.

GENERAL MERCHANDISE

WHOLESALE AND RETAIL

Carries a most Complete and Up-to-Date Stock of Goods,
All Departments being equipped with the goods the
trade of the country demands.

The Whaples-Painter Co.

ROFF, IND. TER.

LUMBER & DEALERS

Incorporated for \$100,000
W. M. BAUGHMAN, Manager

Has 20 Lumber Yards—12 in Texas and 8 in the
Indian Territory.

GENERAL OFFICE AT GAINESVILLE, TEXAS.

CUMMINGS & FISHER DRUG CO.,

ROFF, IND. TER.

CARRY A FULL LINE OF

DRUGS AND OTHER GOODS

USUALLY FOUND IN A FIRST CLASS
DRUG STORE

W. H. KORNEGAY

ATTORNEY

AT LAW

Office; New Halsell Bldg.

VINITA, IND. TER.

**Will Practice in all United States Courts
in the Indian Territory**

C. W. DAY

DENTIST

**Gold Crown and Bridge Work
a Specialty**

OFFICE OVER

**FIRST NATIONAL BANK
VINITA, I. T.**

**USE ROBINSON CIPHER
QUOTATIONS SUBJECT TO MARKET CHANGES
ESTABLISHED 1890**

FRED. J. KELLEY

WHOLESALE DEALER IN

Choice Upland Prairie Hay

VINITA, IND. TER.

WAREHOUSES:

WHITE OAK, ON ST. L. & S. F. RY.

BIG CABIN, ON M. K. & T. RY.

ADAIR, ON M. K. & T. RY.

VINITA, ON ST. L. & S. F. AND M. K. & T. RY.

Whitman Hay Presses, Best Sickle Binder and Bale Ties.

Leading Hay Merchant in the Territory, Correspondence with prospective buyers solicited.

STORAGE CAPACITY, 4000 TONS

CHEROKEE NATIONAL BANK,

No. 5860

VINITA, IND. TER.

CAPITAL STOCK,

\$25,000.00

L. K. McGUFFIN, Pres.

THOS. T. WIMER, Vice-Pres.

W. R. McGEORGE, Cashier.

DIRECTORS:

**L. K. McGUFFIN
FRED. J. KELLEY**

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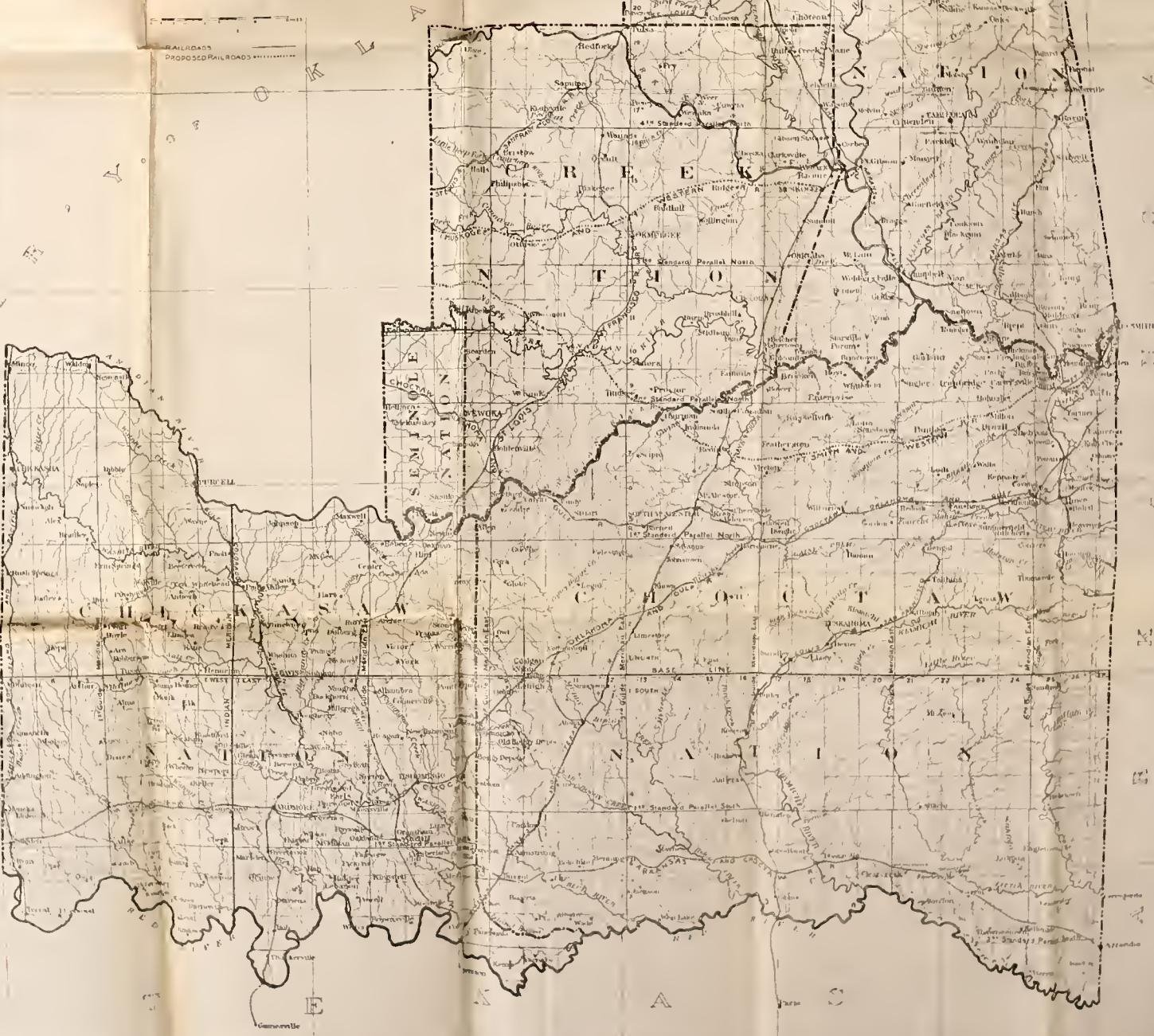
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